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THE HISTORY

OF THE

STATE OF GEORGIA

From 1850 to 1881,

EMBRACING THE

THREE IMPORTANT EPOCHS:

The Decade Before the War of 1861-5; The War;
The Period of Reconstruction,

WITH

PORTRAITS OF THE LEADING PUBLIC MEN

OF THIS ERA.

BY I. W. AVERY.

COMPLETE IN ONE VOLUME.

NEW YORK:
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THIS VOLUME IS

Dedicated

TO THE

PEOPLE OF GEORGIA,

A LUSTROUS PART OF

Whose Strong State Life is Herein Pictured.

THE

UNEMBELLISHED RECORD

Of Men and Deeds

IS A

VIVID EPIC

OF

VALOR, GENIUS AND STATESMANSHIP.

ERRATA.

Page 7, seventh line from bottom, "Tombs" should be "Toombs."

Page 58, thirteenth line from bottom, "Navy" should be "Treasury."

Page 79, fourth line from bottom, "T. R. Christian" should be "J. T. Taylor."

Page 79, fifteenth line from bottom, "Wm. Smythe" should be "J. M. Jones."

Page 389, fifth line from bottom, "was" should be "were."

Page 494, twenty-ninth line from bottom, "Gamett" should be "Garnett."

Page 510, twenty-fifth line from bottom, "John" should be "James."

Page 617, third line from bottom, "Camak" should be "Orme."

PREFACE

WHATEVER may be thought of the estimate of men or discussion of events in this book, the fact will stand unchallengeable that no volume ever had richer material for the Historian's pen. It has been a labor of love to portray this dear and powerful mother State of ours, and I have felt that no one could do a better service to her people than to show her to the world as she is. There is no true Georgian who will not thrill with pride at the portraiture of individual manhood and state majesty And whatever of criticism may be justly due to an imperfect execution of a good aim will be tenderly softened by the home reader's perception of the author's conscientious desire and faithful attempt to present the great reality of our matchless commonwealth.

The general reader, lacking the stimulus of state interest, can yet find an ample theme for study and admiration in the decisive agency of Georgia upon those massive questions of slavery, secession and reconstruction, which have shaped the affairs of this nation for the last half century No national record of the colossal events, belonging to that momentous period of human civilization, can be complete or intelligible that lacks the potential impress of Georgia act and statesmanship That this State furnished the molding

spirits of the Southern Confederacy, and that the stupendous endeavor at an independent nationality expired upon Georgia soil, must ever give to our Commonwealth the unfading interest and profound thought of all philosophical students of history.

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PART I.

The Decade before the War

OF 1861–5

CHAPTER I.

GEORGIA AN IMPERIAL COMMONWEALTH.

A Leader in the august Sisterhood of States.—Her Superior Individuality.—Her Adventurous Citizenship.—The Theater of Great Events.—The Most Potential Southern State in the War of 1861.—Her Affluence of Public Men in the Last Quarter of a Century.—The Leading Instrumentality of Joseph E. Brown.

THE annals of no State in this expansive Union will show a record more illustrious, and also more picturesque in coloring, than our goodly Commonwealth of Georgia. She was one of the original colonies, the historic thirteen, that won independence in the forever famous revolution of 1776, and formed the basis of our present marvelous nationality. Founded in 1733 by that noble English gentleman, Sir James Oglethorpe, and embracing the princely scope of territory extending from the Atlantic coast to the Mississippi river, from which has been cut and formed several of our finest Southern states, Georgia has from that early day to the present maintained the luster of her origin, and illustrated in peace and war, in arts and arms, in achievement and statesmanship, in population and progress, the virtue, independence and power of a free, intellectual and Christian people.

Among all of the great commonwealths of the Union, there is, perhaps, no single one as royally endowed by nature as Georgia. There are larger states, there are states surpassing her in individual lines of production, but in the possession of a lavish variety of resource, Georgia is the foremost. Whether we regard her versatile agricultural fertility, her varied mineral wealth, her manufacturing possibilities or her commercial advantages, she has them all in affluent profusion; and superadding to these a healthy climate ranging from the purest of mountain air to the fresh buoyancy of her ocean border, a prodigal possession of crystal springs and rivers, and scenery variedly picturesque, and it is no exaggeration to claim for her a leading position in the august sisterhood of the United States.

Her career has had a romantic character, befitting her superior individuality. Hers has been a continuously dramatic destiny. Georgia, from her founding in 1773, has made a luminous chronicle of eventful emprise and stirring incident. There seems to have been from the first

an adventurous quality in her citizenship that has shown itself in unusual accomplishment. She has exerted a marked influence in every line of her growth and phase of her progress. She has been the theater of startling surprises and great operations. Both in military and in civil matters she has had uncommon prestige and achieved striking experiences. Especially in the wars that have convulsed the country has Georgia been conspicuous and brilliant. In both revolutions of 1776 and 1861 her soil was the arena of momentous and decisive movements, that gave her renown and imparted vital direction to the final result. In the great civil war, so fresh in our memories, she played a rôle that, take it all in all, was in some respects the most striking and eventful of any Southern state.

It has been her fortune, both before and during the late war, to have conflicts of argument, involving fundamental principles in our government, with the national administrations, that have alike given the state celebrity and illustrated the independence of her state authorities. The fact is that Georgia has antagonized every measure of the Federal Government, that has in her judgment encroached upon constitutional law or individual liberty.

The last thirty years, extending from 1850 to the present, have been a marked era in her history—an era remarkable for the momentous and tragic incidents crowded into the brief period of a little more than a quarter of a century. The agitation of the slavery question, that finally culminated in the attempted dissolution of the Union and its tragic consequences, may be said in the compromise measures of 1850, to have taken its first serious steps to the terrible end that came. It is the philosophy of compromise to procrastinate evil without curing it. And an inevitable conflict loses nothing of its savagery by abortive patchwork. The decade from 1850 to the civil crash of 1861, was a period of unconscious preparation for the mighty struggle. And as no state took a larger or more vital part in the conflict than Georgia when the conflict came, so no state contributed more potentially to the influences preliminary to it in the ten years of seething revolutionary preface. Among the public men of national fame Georgia furnished some of the most daring thinkers, and famous orators of the day,—statesmen of large ability and powerful public influence. Through her whole history Georgia has been particularly affluent in brilliant public men. It is doubtful whether she ever shone more resplendently in this wealth of gifted characters, than during the thirty years to which reference is made. Our state affairs were, in the decade before the war, managed with

unusually brilliant skill, while in the national councils we had representatives of surpassing prominence and force.

Marking as this period of thirty years does, an era alike in the history of our state and the nation, distinctive and dramatic, in which there was not only a revolution of arms of vast magnitude, but an even greater revolution of thought and social and political systems, I have selected it for the theme of this book. Looking at the large number of able and influential men of Georgia who have figured and led in this important and dramatic period, the man above all others who has been more closely identified with the great events of this memorable epoch in Georgia and whose masterful individuality has been the most conspicuously impressed upon these events, is the calm face and slender figure of Joseph E. Brown. His public career for a quarter of a century has been the history of his state. There is no year in this long episode of thrilling event that his instrumentality could be dropped out without creating an important blank in the picture, while no incident of the romantic record could be properly narrated that lacked the recounting of his powerful agency. From the day that, absolutely unheralded and almost unknown to the state, he was by a mysterious stroke of fortune placed at the helm of state, he has been the moving power in public matters. If his ideas have been temporarily vanquished he has seen them ultimately triumphant. Affluent as the state has been in remarkable men, it is a matter of material doubt if the annals of the commonwealth can show a character of more brain and will than Brown—a public career more valiant and dramatic than his. Bold, able, clear-headed, aggressive, placid, with unequaled powers of management, and an invincible method with the popular masses, he seized the public mind and impressed himself upon public affairs with as much force as any public man Georgia has ever had. Coming into public life when the state had a brilliant host of public men, illustrating her magnificently in eloquence, statesmanship and influence, "Joe Brown," as he has been familiarly called, immediately stepped in the very front, and has been ever since an imperious dominating leader. His public career has been a continuous surprise, bristling with dramatic alternations of popular admiration and odium, and almost uninterruptedly marked by triumphs of power clutched by marvelous exhibition of management in desperate political contests, largely flavored with the most earnest personal spirit. In all the varied vicissitudes of Georgia's history with some of the most impressive characters to dazzle public attention, it is doubtful if any public man of her annals has filled a larger measure of public thought,

or has taken a stronger hold upon the measures and times with which he has been connected, than this indomitable type of equipoised judgment.

In view of Gov. Brown being the central figure of the last quarter of a century of Georgia matters, I have deemed it not inappropriate to devote a couple of chapters to his early life, not only for the interest of the work, but to throw upon the heavy facts of our grave history the illustration of so vital an agency during this thrilling period.

CHAPTER II.

THE START OF GOV BROWN'S STRONG LIFE.

Ilis Progenitors.—Born of Fighting Sires.—Gameful by Heredity.—A Boyhood of Toil and Close Living.—His Immigration to Historic Gaddistown.—The United States Senate and Gaddistown.—The Famous Plow Bull.—Schooling in South Carolina.—A Pair of Steers for Board.—Remarkable Progress.—A Country School Teacher.—Reads Law in Resting Hours.—Dr. Lewis.—Brown's Fidelity to Friends —Admitted to the Bar.—Goes to Yale College Law School.—A Practitioner of Law.

THE full name of Senator Brown is Joseph Emerson Brown. He is not a native Georgian, but was born in the adjoining state of South Carolina, in Pickens District, on the 15th day of April, 1821. He was therefore sixty years of age April 15, 1881. His birthplace was near the home of John C. Calhoun, that apostle of the doctrine of States Rights. It was here that young Brown had imbibed with the tenacity of his determined nature Calhoun's theory of state government. And it will be seen how, when he became Governor of Georgia, these decided views of state sovereignty molded his official conduct, and led him to controversies that have become historic.

It is not by any means uninteresting to trace in the life of this gentleman the ancestral qualities that came to him legitimately by hereditary transmission. His remote progenitors on the paternal side were Scotch-Irish Presbyterians, and way back in those dismal days of English history, when civil strife would seem to have culminated its horrors in the time of James the Second, they faithfully adhered to the fortunes of William and Mary. Their home was in the vicinity of Londonderry, Ireland, and when that place was subjected to the cruelties of a lengthened siege, the ancestors of Joseph E. Brown vindicated their courage and their fidelity by an unmurmuring participation in the sufferings of that occasion. In an exceedingly vivid sketch comparing "Joe Brown and Bob Tombs," "H. W G," in the *Constitution* newspaper, thus alludes to Brown's progenitors :

"Joe Brown and Bob Toombs! Both illustrious and great—both powerful and strong—and yet at every point, and from every view, the perfect opposites of each other.

"Through two centuries have two different strains of blood, two conflicting lines of thought, two separate theories of social, religious and political life, been working out

the two types of men, which have in our day flowered into the perfection of contrast—vivid, thorough and pervasive. For seven generations the ancestors of Joe Brown have been restless, aggressive rebels—for a longer time the Toombs have been dauntless and intolerant followers of the king and kingliness. At the siege of Londonderry—the most remarkable fasting match beyond Tanner—Margaret and James Brown, grandparents of the James Brown who came to America and was grand-parent of Joe Brown—were within the walls, starving and fighting for William and Mary; and I have no doubt there were hard-riding Toombs outside the walls, charging in the name of the peevish and unhappy James. Certain it is that forty years before the direct ancestors of General Toombs on the Toombs estate were hiding good King Charles in the oak at Boscabel, where, I have no doubt, the father and uncles of the Londonderry Brown, with cropped hair and severe mien, were proguing about the place with their pikes, searching every bush, in the name of Cromwell and the psalm-singers. From these initial points sprang the two strains of blood—the one affluent, impetuous, prodigal—the other slow, resolute, forceful. From these ancestors came the two men—the one superb, ruddy, fashioned with incomparable grace and fullness—the other pale, thoughtful, angular, stripped down to brain and sinew. From these opposing theories came the two types—the one patrician, imperious, swift in action and brooking no stay—the other democratic, sagacious, jealous of rights and submitting to no imposition. The one for the king—the other for the people. It does not matter that the elder Toombs was a rebel in Virginia against the fat George, for that revolt was kingly of itself, and the Virginian cavaliers went into it with love-locks flying and care cast to the winds, feeling little of the patient spirit of James Brown, who, by his Carolina fireside, fashioned his remonstrance slowly, and at last put his life upon the issue."

In 1745, Brown's ancestors emigrated to America. This was some thirteen years after the settlement of Georgia by Oglethorpe. They first settled in the colony of Virginia, but subsequently removed to South Carolina, where they became worthy citizens, keeping up their stern fidelity to patriotic duty. Joseph Brown, the grandfather and namesake of Senator Brown, was a resolute Whig in the days of the Revolution of 1776, and did his part gamefully in that memorable strife. He fought in many leading engagements, including Camden, Kings Mountain and others. He was true to the rebel instincts of the blood, and upheld the colonial cause until independence crowned the long and weary contest.

Of the family of Joseph Brown the revolutionary sire, Mackey Brown, the father of Joseph E. Brown, when quite a young man sought a home in the state of Tennessee, in the middle section of that commonwealth of bountiful products. Following the intrepid impulses that came to him from his Londonderry progenitors, Mackey Brown enlisted in the war of 1812 in the brigade of General Carroll. He went with this command to New Orleans, and shared actively in all of the campaigns of that war, finally fighting with "Old Hickory" in the celebrated battle of the 8th of January, 1815, which resulted in the death of General

Packenham, the British commander; the defeat of the British army, and the election of General Jackson as President. It will thus be seen that Joe Brown comes of a fighting stock, and the unyielding combativeness that has constituted one of the staple ingredients of his character, and a leading feature of his political life, is a quality of long-transmitted inheritance, perpetuated through generations of resolute blood and fiery trial.

Mackey Brown returned from the war to Tennessee and married Sally Rice, whose people came from England and, settling in Virginia, emigrated to Tennessee. After the marriage, Mackey Brown and his young wife moved back to South Carolina to Pickens District, where, in the quiet pursuit of an agricultural life, eleven children were born, the oldest of whom was Joseph E. Brown.

The early life of Joe Brown was uneventful. His parents were in moderate circumstances, and he grew up accustomed to farm labor. He was educated in those simple habits of living, temperate, abstemious and healthful, from which in all the elevations of his extraordinary career he has never deviated. From the early age of eight he did steady farm work until he was nineteen years old, filling in the intervals with the ordinary country schooling. Before he was grown, however, Mackey Brown left South Carolina and emigrated to Union county, Georgia, where Joseph E. Brown made the humble beginning of his wonderful career in this state. The little valley near which they settled was called GADDISTOWN.

Men make localities famous. It is the province of genius to thus emulate great events in conferring celebrity upon places. The obscure little country place of Gaddistown has earned immortality through the poor uneducated boy that arrived there in his 'teens over forty years ago. When at the close of the most protracted political and personal campaign ever held in Georgia, in which he was a leader and factor, this penniless and unlettered boy become a millionaire in wealth, all won by his own strong industry and enterprise, grasped in his powerful hand the glittering honor of a United States Senatorship by such a majority as the most fortunate of men rarely get, the wondering populace, caught from its rural hiding place in the mountains of Georgia, far away from the whistle of the steam car, the modest locality of Gaddistown and made it a household word forevermore. Such is the spell of genius. In the badinage that flashed about the marvelous victory, Gaddistown bloomed into fame as the spot where the millionaire Senator plowed his historic bull in the days of his penniless youth, and made the modest

starting of his miraculous career. The papers rang with the name of Gaddistown. In the brilliant breakfast room of the Kimball House, where a large number of Senator Brown's friends gathered to dine in honor of his overwhelming election that day, the Gaddistown Club was organized in tribute to the henceforth immortal Gaddistown.

During these years of his youth up to the age of nineteen, young Brown learned nothing but the three R's,—reading, 'riting and 'rithmetic, and these very limitedly. He worked laboriously, plowing his now historic bull, hauling wood to Dahlonega, selling vegetables in a basket to the hotel and others that would buy, and aiding in the frugal support of his father's large family. "Bill Arp," in one of his inimitable letters to the *Constitution*, narrates the following interesting incident of the period of Brown's life, told him by Gen. Ira Foster:

"When he got to talking about Joe Brown he stretched forth his arm and said that man is a miracle. I knew his parents before he was born. They were exceedingly poor. His aunt Sidney did my washing when I was a young man living in Dahlonega some fifty years ago.

"Joe cultivated a little scrap of hillside land with a pair of bull calves, and every Saturday hauled to town some potatoes or cabbages or light wood or other truck in trade and took back something for the family. In 1839, I think it was, I was riding to Canton in a buggy, and I overtook a young man walking in a very muddy lane. He had a striped bag hung over his shoulder and looked very tired. I asked him if he would not take a seat, and he looked down at himself and said he was too muddy, and that he would dirty up the buggy. I insisted and he broke off a splinter from a rail and scraped his shoes and got in. I learned from him that his name was Joe Brown, and he was going to Canton to get something to do. I have kept an eye on him for forty years. He is a wonder to me."

But there was a something in the youth that impelled him irresistibly to a higher and broader life, and his strong intelligence realized the necessity of a better educational equipment. There is no doubt however that in these years of youthful work were laid the foundation of those inestimable habits of patience, pains-taking industry, frugality, self-control, and a knowledge of and sympathy with the laboring masses that have so marked his career, and aided in his exceptional success.

In the fall of 1840 he obtained his father's consent to make a new departure and gratify his craving for education. All that his father could do for the boy who was to carve out for himself so wonderful a fortune, was to give him some home-made clothing and a yoke of steers. With this modest endowment of worldly goods the youth went back to Carolina and entered the Calhoun academy in Anderson district, probably drawn there by his reverence for the name and doctrines of Calhoun. The steers paid for eight months' board. The tuition was

obtained on credit. It can be well imagined that a spirit so determined upon an education improved this opportunity to the fullest measure of an uncommon intellect. Returning to Georgia in the fall of 1841, the earnest youngster taught school for three months to get the means to continue his schooling, and went back in January 1842 to Calhoun academy, pursuing his studies by incurring debt for his tuition and board. A very successful and eminent teacher, Mr. Wesley Leverett, was in charge of Calhoun academy, and the bond of sympathy between him and his remarkable pupil was such, that when Mr. Leverett left the academy and removed to another school that he established near Anderson Court House, the wise youth followed him and enjoyed his instruction during that year. The progress of young Brown in his studies was very rapid and marked. His strong practical mind, with its keen hunger for knowledge and its native superiority of application and mental labor, achieved astonishing results, delighting his preceptor. His money with which to pay board early gave out, but he readily obtained it on credit, there being no lack of friends to trust and encourage a spirit so bent upon an education. The extraordinary progress he made can be understood when it is known that in two years' study from the groundwork young Brown had fitted himself to enter an advanced class in college. He had to forego college education, however, because he had not the means.

In January 1844 Mr. Brown, at the age of twenty-two, returned to Georgia and opened an academy in Canton, Cherokee county. He had to repay the debts incurred in his education, and he fully realized the obligation that rested upon him. He opened his academy with six scholars, the number rapidly increasing to sixty as his admirable capacity for teaching was demonstrated. The school was popular. He taught the year through, devoting his days to his pupils and his evenings and Saturdays to laborious study of the law.

This earnest young man wasted no hours. His mastery of the law was thorough and close. A methodical division of his time with the intensest attention while at study enabled him to accomplish large results. As a teacher he was unusually successful, and had he pursued that vocation he would have made an eminent instructor. His placid temper, great patience, determined will, admirable tact and practical clear methods, fitted him finely to teach and control scholars. At the end of the year he had made and saved enough money to pay off the entire debt incurred in Carolina for his education, and with that scrupulous regard for his obligations that has distinguished the man

always, he made a special trip to that State and repaid to the last dollar every liability due for board and tuition.

During the year 1845 he continued his law studies in Canton, teaching the children of his friend and patron, Dr. John W Lewis, for his board. The relations between Dr. Lewis and young Brown were very close and tender. It illustrates a strong quality of Senator Brown's nature that in after years, when he became influential and had patronage at his disposal, he remembered his early benefactor and delighted to honor him. Fidelity to his friends is a crowning quality of the man, and has been a large factor in his success. He appointed Dr. Lewis Superintendent of the State Road, and afterwards Confederate State's Senator, when there was a vacancy in that high office. Gratitude is golden, and it belongs to Joseph E. Brown in a remarkable degree.

In August 1845, Mr. Brown was, after a searching examination of several hours, admitted to the bar. The presiding judge complimented him highly upon his proficiency. He is said to have answered incorrectly but one question put to him by the examining committee of lawyers, who seeing that they had an unusually well-informed applicant to test, made the ordeal as critical as they could. At this same term of the court the young lawyer made his first speech and won a host of encomiums alike from the bar and the audience. In that maiden effort he, according to the traditions of that day, gave specimen of the simple style of effective talk that made him afterwards so potential in speech while claiming no pretensions to oratory. He had a clear method of presenting his cause, a faculty of putting the irresistible common sense of the subject, and a homely, direct power of reaching the hearts of his hearers that proved wonderfully successful.

Talking in Spring Place, Murray county, in 1866, at a term of the Superior Court there, with an old citizen and admirer of Brown, who had often seen him in the trial of cases, the citizen said that in many respects Brown was the most remarkable young lawyer he had ever known. He said he had never seen a young lawyer, nor an old one either, that did not some time lose his equilibrium. In the ups and downs of a trial, the most experienced were thrown off their balance by some unexpected testimony or some sudden and crushing reverse. But nothing could disturb Brown. His composure and self-possession were immovable. The worst disaster in a trial found him as cool and placid as a summer morn, with every wit sharpened to nullify it. This game quality impressed others profoundly, and gave him a great advantage in forensic battles.

Mr. Brown was now twenty-four years old, and had studied the law nearly two years and passed a rare examination in his admission to the bar. He was better equipped for practice than the majority of young lawyers. But he was not satisfied with his preparation. Having an exalted standard of professional success before him, and appreciating that to be a great lawyer a man must broaden and liberalize his mind, as well as be thoroughly initiated into the fundamental principles of law and government, Brown resolved to enlarge and perfect his legal education. His staunch friend, Dr. Lewis, loaned him the money to earry out his purpose, and in October 1845, he entered the law school at Yale.College and remained there until June 1846.

His year of study at Yale was very valuable. His hard digging at the law in the mountains of Georgia stood him in good stead in rounding off his legal edueation at venerable Yale. The mountain youth stood at no disadvantage with the youngsters of wealth at the old college. He took the lead easily in his classes. He found it a light matter with his strong native powers, fortified by two years of elose legal application in his quiet rural home, to take all of the studies of the three classes, and keep up with them, and yet in addition, attend many of the leetures of the professors in other departments, as Professor Silliman on Chemistry and Geology ; Dr. Taylor on Mental Philosophy ; Dr. Knight on Anatomy, and others. He graduated at the commeneement in 1846 in the law sehool, but did not remain to take his diploma in person. In that praetieal spirit that governed him in all matters, he requested permission to stand his examination and leave in June, in order that he might get the business benefit of attending the fall courts at home in Georgia. His diploma was sent to him. He located in Canton, and at the ripe age of twenty-five years he began the practice of his cherished profession of the law, and soon built into a lucrative business.

Looking at Senator Brown's course preliminary to his beginning the practice of the law, there is a fine example for poor young men and a marked exhibition of that native sagaeity that has governed his life. Commencing at nineteen years of age with but a light eountry schooling, he, of his own wise impulses, devoted six years to his education. His rare natural abilities were in the vigor of a youthful healthy manhood. He was ripe for the very best acquisition of learning and the most profitable training of his faculties. His powerful young mind was just in that age of maturity of the learning capacity, that made his studies doubly useful. This poor country youth was a tardy beginner

of life's practical business at twenty-five years of age, but he in reality possessed a perfection of equipment that few beginners have. Purity of habit and principle that secluded country life gives, habituation to severe ordeals of physical and mental labor, a long course of legal education finished at the finest law school in the country, and a social and mental intelligence of unusual grasp capped and widened and polished by the collisions, the culture and worldly knowledge of a year at a cosmopolitan college, all were young Brown's, when he started life in the country village of Canton, in the sunny summer of 1846. And it is not by any means a surprising matter that he succeeded. Such powers, such knowledge and such methods as he had were bound to succeed. There was nothing brilliant about him. But he made the progress ever achieved by hard and continuous work. He never lost a client. He lived as he had been raised, moderately and helpfully, and his habits continued simple. He made $1,200 the first year, and then pushed up slowly but steadily to $2,000 and $3,000. He never went backward. He made no blunders. His investments were all safe and judicious. He very early paid $450 for a piece of land which afterwards turned out handsomely for him, a half interest in a copper mine thereon bringing him $25,000, which he invested in farms, and which was the basis of his afterwards immense fortune.

The next wise and fortunate step that this rising young man took was to marry a good wife. In 1847 he was united in marriage to Miss Elizabeth Gresham, the daughter of the Rev. Joseph Gresham, a Baptist minister of South Carolina. He made a happy marriage, his wife sharing congenially the eventful fortunes of his remarkable life, presiding well over his happy home, and raising admirably the large family of intelligent and worthy children that she has brought to him.

As a lawyer, as can be conceived, Mr. Brown immediately took a foremost rank. Instantaneously prompt and punctual, giving immediate attention to all matters entrusted to his care, untiringly industrious, working up his cases thoroughly, examining legal questions to the bottom, exhausting authorities, carefully correct in judgment, full of the resources of pleading and practice, and an earnest and convincing speaker, he had every quality needed to give him both reputation and practice.

A gentleman had a claim against a farmer residing in ten or twelve miles of Canton. He arrived there in the afternoon and was referred to Mr. Brown. He put the matter in Brown's hands, who told him to call the next morning. Brown rode out to the house of the citizen that

very evening, managed to get the money, returned to his office, and when the gentleman called by appointment early the next morning, paid him his money. He stopped at no trouble or labor in his business, and his swift promptness and tenacious attention to his cases wrought their inevitable results. Every lawyer in large practice can point to his hard forensic battles and romantic victories, won by clever strokes of legal strategy and skillful operations of professional acumen. Mr. Brown had an unusual number of such struggles and triumphs. A plain man and severely practical, lacking the flash of oratory and making no glittering personal display, yet there was a romance and dramatic effect in his management of some of his legal skirmishes, that surpassed the achievement of more showy solicitors. Some of his legal contests were surprises of skill and boldness. A very earnest man, of indomitable will and unswerving purpose, he was a hard hitting forensic fighter. Secretive as to his plans, he sprung damaging traps upon his opponents and he pursued a defeated antagonist unrelentingly. Hon. L. N. Trammell, speaking of his power as a lawyer, said his influence over a jury was extraordinary. While not an orator, his speeches were irresistible. Says Mr. Trammell, "Gov. Brown's speeches to juries were marvels of effect. They were as clear as a sunbeam. They exhausted practical sense, and reason, and put his side of a case so strongly and logically, that he always carried conviction."

CHAPTER III.

GOV BROWN'S MARKED CAREER AS A STATE SENATOR IN 1849.

His Early Drift to Politics.—Runs for Senator.—The Temperance Issue —His Election. —The Legislature of 1849 noted for its Fierce Political Controversies.—Andrew J. Miller and Joe Brown the Leaders.—The Veteran and the Neophyte.—Brown Leaps to the Front.—Brown and Alfred H. Colquitt.—A Curious Coincidence.—The Personelle of that Body.—The Judges of that Day.—Hiram Warner.—H. V. Johnson.—Mrs. Johnson.—Henry R. Jackson.—Aug. Hansell.—James Jackson.—Gartrell's Resolutions.—The Heat upon Slavery.—Dissolution of the Union Intimated.—Chas. J. Jenkins.—Chas. J. McDonald.—Miller's Hobby.—The "Woman's Bill."—Gov. Brown against all the New Fangled Ideas.—Richard H. Clarke.—Thos. Butler King.—O. A. Lochrane.

BUT while Gov. Brown was and is a great lawyer, the dominant tendency of his nature was political. A profound and able jurist, his forte was politics. His greatest capacities drove him to public life. He took to it as a fish does to water. His popular tact was unerring, his fitness for political contest perfect. Admitted to the bar in 1846, he drifted into politics in 1849. At that time there were forty-seven Senatorial Districts in the state, each furnishing a Senator. Forty-six of the Districts were composed of two counties each, and Mr. Brown lived in the forty-first, which was composed of Cherokee and Cobb counties. He received the Democratic nomination. Opposed by Col. John M. Edge, the canvass was an active one and resulted in his triumphant election. The temperance issue was raised against Mr. Brown, he being a member of the order of the Sons of Temperance. With his usual positiveness he took square temperance ground when assailed. The objection was made to him that he was against the liquor traffic. He accepted it boldly, refused to treat to liquor in his canvass, and in his speeches broadly announced that he would treat no one, though the refusal might cause his defeat by thousands of votes. In a rural mountain section where the distillation of spirits is largely carried on, it might well be supposed that such a declaration would be perilous. The custom of candidates using liquor freely in their campaigns was general. He had the courage to break the custom, and after a warm contest he was decisively elected.

The legislature of 1849 and 1850 was a right memorable one. Georgia then had the system of biennial sessions, which she discarded soon, and then re-adopted in 1877, after she had forgotten the experience of a quarter of a century previous. The session was eighty-five days in length. The same policy was carried out that has prevailed in the biennial sessions of 1878 and 1881, of having an adjourned term. And Senator Brown voted against it in 1849, as he did against every daily adjournment, nearly, his disposition being to get through his legislative work in the quickest possible time.

Among the more notable men of this Legislature were Andrew J. Miller and David J. Baily of the Senate, and Augustus H. Kenan, Wm. T. Wofford, Thomas C. Howard, Gen. Harrison W Riley, Parmedus Reynolds, Charles J. Jenkins, Linton Stephens and Lucius J. Gartrell, of the House. Joseph E. Brown was a new member and a new man in Georgia politics. This Legislature was noted for its fierce controversies upon political questions. Andrew J. Miller was the leader of the Whigs. Representing the powerful constituency of Richmond county, a lawyer of acknowledged ability, a ready debater, of cool imperturbable temper, high integrity and unflinching firmness, he stood very high. Joseph E. Brown leaped to the leadership of the Democrats in spite of his youth and inexperience, and the two names that figure most frequently in the journals of the Senate during that racy session are Miller and Brown. The young mountain novice tackled the old city veteran gamely and successfully. And the Democratic measures went through steadily under the firm leadership of this raw but powerful young neophyte. Brown was put on the Judiciary committee in recognition of his legal ability, that in three years' practice had established itself, and he was made chairman of the penitentiary committee. In addition he was put upon nearly every important special committee to consider special matters of moment. Among these were, committee to enquire into repeal of laws in regard to introduction of slaves into this state : committee on bill to protect public worship : committee on bill to abolish costs in Supreme court: committee to re-organize the Judicial circuits: and other committees, in most of which Brown was chairman.

It is matter of curious note that the assistant secretary of the Senate was Alfred H. Colquitt, who thirty years later made Joseph E. Brown United States Senator, and was united with him in the political campaign of 1880, the most savage public contest ever witnessed in Georgia, which resulted in the re-election of Colquitt as Governor of Georgia, and the election of Brown as United States Senator. And it is also

another curious fact that of the two speeches reported during the session of 1849–1850 one was a speech made by Brown, and it was reported by Mr. Colquitt for that strong journal, the Macon *Telegraph*, which at that time was only a weekly paper.

Gov. Geo. W. Towns was the executive of the state. The state road was in running order to Dalton, was graded to Chattanooga and the track laid to within seven miles of that place. The benefit of that road is shown by the fact that the business had increased for 1849 over forty-seven per cent. more than in 1847. At this time the judges were elected by the General Assembly, though an act was passed submitting to the people whether judges should be elected by the Legislature or the people. The people decided in their own favor, and after this the judges were elected by the people of their respective circuits. This Legislature elected Hiram Warner Judge of the Supreme Court, and Judges of the Superior Court as follows:—Eli H. Baxter, Northern circuit; Henry R. Jackson, Eastern circuit; Augustin H. Stansell, Southern circuit; James Jackson, Western circuit; Ebenezer Starnes, Middle circuit; Herschel V Johnson, Ocmulgee circuit; Jas. H. Stark, Flint circuit; Alfred Iverson, Chattahoochee circuit; John H. Lumpkin, Cherokee circuit. Of these gentlemen a number became distinguished. H. V Johnson and Alfred Iverson were made United States Senators; H. V Johnson, Governor; Hiram Warner and James Jackson, Congressmen and Chief Justice of the Supreme Court; E. Starnes, Judge of the Supreme Court; H. R. Jackson, United States Minister to Austria. There has perhaps never been a more brilliant array of judges in the history of the state. Judge Warner has been almost continuously on the bench since, resigning the Chief Justiceship of the Supreme Court in 1880. Judge Warner is in many respects a remarkable man. He came from New England. A tall, erect, muscular person of great decision of character, high order of ability, and extensive legal erudition, he has maintained a striking hold upon the people of Georgia in spite of a decided lack of social feeling and generous sentiment. A fearless utterance of his views, an iron resolution and a rigid integrity, have upheld him in popular confidence, notwithstanding the severity of demeanor and a sort of determined rancor of prejudice. Cold and stern, he was able and believed to be honest. Alfred Iverson was a man of much power, a small person in stature, but of considerable speaking ability.

Governor Johnson was the ablest of these men. There has been no public man in Georgia in the last quarter of a century the superior in brain power of H. V Johnson. A powerful thinker, a strong speaker,

possessor of an exquisite style of writing, the chastest and most vigorous master of language we have ever had in the state, he is one of our few public men that could be called great. He was a timid and a gloomy man, however, and in his manners a brusque person. The contrast between the bluntness of his ways and speech, and the classic elegance of his writings, was something inexplicable. His state papers were models of statesmanship and polish. Judge, afterwards Governor Johnson, married a niece of President Polk, the most exquisitely beautiful and intellectually gifted woman of her day when young. After he became executive she made the state house famous by her entertainments. Of exquisite figure, with features of faultless beauty, clear-cut, intellectual and of the most classic Grecian type, with a complexion as clear and rose-tinted as a healthy infant's, she added conversational powers of surpassing brilliancy, and an attractive sweetness of manner irresistible. She was a notable housewife and devoted mother, yet she was profoundly read in the political, scientific and religious literature of the day, and could talk upon these matters with wonderful power and genuine eloquence.

Henry R. Jackson was one of the most gifted of these men, a magical orator, a true poet and an able lawyer. And added to this was a chivalric, personal courage and a fiery scorn of anything small. Judge Hansell is still Judge of the Superior Court, and preserves those high characteristics of manhood that marked him then. James Jackson was a most promising young man, belonging to and constituting a typical member of the famous family of Jacksons that have filled so large a rôle in Georgia annals, whose founder was one of the early Governors and a United States Senator; a man of iron force of character, who burned the records of the great Yazoo fraud with a sun glass. It has been something for Joseph E. Brown to have outstripped these gifted aristocrats of Georgia civilization. In the election of these judges the Southern Rights question entered. Lumpkin, James Jackson and H. R. Jackson were Union Democrats, and came near defeat on that account. James Jackson wrote to Alex. Stephens asking his influence, appealing to his well-known proclivity to help young men. Through Mr. Stephens his brother Linton voted for Jackson, though Linton was a Whig.

The chief battle in this General Assembly was over some Democratic resolutions, originated mainly by Lucius J. Gartrell and W W Clayton, declaring for strict state rights; for a national territory equally slave and free, and branding the Wilmot proviso as unconstitutional. The report of the committee on the state of the Republic, introductory of

these warm resolutions, was written by Col. Thomas C. Howard, the chairman of the House committee, regarded then as the most promising young man in the state. An inimitable conversationalist, flashing, witty and fervent, there is no man in Georgia that has ever surpassed him as a talker. He was then and is to-day a remarkable man. His report on these resolutions was a brilliant piece of writing. The debates over these resolutions were sharp and at times stormy. In the Senate, Miller and Brown had numerous skirmishes. Governor Colquitt told the writer that the Democrats had a sense of security when Brown had charge of the Democratic side that they had under no other leader. His speeches were to the point, clear and forcible, and his readiness and resources equal to any occasion. The resolutions were finally passed. Among them is the following:

"9th Resolved. That the people of Georgia entertain an ardent feeling of devotion to the union of these states, and that nothing short of a persistence in the present system of encroachment upon our rights by the non-slaveholding states can induce us to contemplate the possibility of a dissolution."

These resolutions provided for calling a State Convention in certain contingencies. They illustrate the inflammatory agitation that was convulsing the country upon the subject of slavery, and the contemplation of a severance of the union as an ultimatum that came ten years later. On the final passage in the Senate the vote stood thirty-five yeas to three nays, Andrew J. Miller being one of the nays. In the House the vote stood ninety-two yeas and twenty-eight nays. Charles J. Jenkins was the leader of the union party in the House. Mr. Jenkins has been one of the purest and ablest public men the state has ever had. He afterwards became Governor and Judge of the Supreme Court, and President of a Constitutional Convention of 1877. Possessed of punctilious integrity and high ability, known for an adamantine firmness and courage, patriotic and public-spirited, no man in the state has enjoyed a larger measure of respect than Mr. Jenkins. He has been a citizen of which any commonwealth could be proud.

In connection with these resolutions the general assembly elected C. J. McDonald, M. H. McAllister, C. Dougherty and William Law as delegates to a convention of the people of the slave-holding states of the union to be held on the first Monday in June, 1850, in Nashville, Tennessee, called in conformity with a recommendation of the people of Mississippi, to take some harmonious action in defense of the institutions of slavery and the rights incident to it under the Constitution of the United States. C. J. McDonald had been governor of the

state from 1839 to 1843, and was a gentleman of ability who possessed to a large degree the confidence of the people. M. H. McAllister was a citizen of Savannah, looming up prominently for public honor, but who injudiciously sacrificed the sure promise of distinction in Georgia by removing to California. C. Dougherty and William Law were both lawyers of fine ability. Dougherty was a citizen of Athens, of bright mind, member of a gifted family. He was defeated for governor on a close vote by McDonald. Law was a citizen of Savannah, and became a distinguished judge.

One of the notable battles in this legislature was over a measure that became in those days known as the hobby of Andrew J. Miller, called his "Woman's bill." The object was to secure to married women their own property independent of the husband. Miller was sent to the legislature time and again, and at every session he introduced this measure, only to be repeatedly defeated. It finally became the law, and its success was due to the persistent agitation of the persevering Miller. Joseph E. Brown had the old-fashioned notions of the marital relation and fought all of these new-fangled ideas. Miller's Woman's bill was defeated by a vote of twenty-one yeas to twenty-three nays in the Senate, Brown voting no. A bill to limit the liability of husbands for debts of wives incurred before marriage, did pass the Senate, however, and Brown vindicated his consistency by voting against it. During the consideration of the Woman's bill Judge Richard H. Clark offered an amendment submitting the Woman's bill to a popular vote at the governor's election in 1851. Senator Woods proposed an amendment allowing females between sixteen and fifty years to vote. The amendments were both rejected by only a small majority. Judge Clark has been a well-known figure in Georgia matters. A delightful gentleman socially, a writer of exquisite culture, a thorough lawyer and yet with a decided bias to literature, Judge Clark has held a high position. He has been one of the codifiers of the Georgia statute law, and a judge of admitted ability. He is now judge of the city court of Atlanta.

At this session of the legislature important legislation was had on the divorce law. Joseph E. Brown, as may be expected, fought every proposition widening the domain of divorce, and maintained rigid adherence to all of the strictest ideas of marriage sanctity. He was for striking out as grounds of divorce intermarriage within the Levitical degrees, desertion for three years, and conviction for crime, and finally voted against the bill. An effort was made to incorporate the Grand Division of the Sons of Temperance, and referred to a special committee

with Brown as chairman, who was known to be an ardent temperance champion. He made a strong report against it, arguing that any legislation of the sort would injure the cause of temperance, which was making progress, and should depend for success upon inherent moral influence.

Senator Brown gave a marked instance of his thoughtfulness of the interest of his immediate constituents, and his successful method of doing things in a little post route matter. Mr. Boyd offered resolutions for mail arrangements to be secured between Marietta and the towns of Roswell and Cumming. Brown moved and carried the motion to strike out Roswell and Cumming and substitute Canton therefor.

As illustrating the temper of the people on the subject of slavery, an episode occurred in the Senate which deserves mention. Among the marked and influential public men of that day was the Hon. Thomas Butler King. He was a wealthy planter on the coast, a gentleman of aristocratic family, of high social influence and very strong ability. He was a Congressman and went later as Commissioner to Europe. Senator Brown introduced resolutions reciting that it was reported that Mr. King had resigned his seat in Congress and was in California, alleging that he represented the cabinet at Washington, and was seeking to become a Senator from California under a Free-soil Constitution, and resolving that it was derogatory to a Southern representative in Congress to advocate the admission of California into the Union as a free state, and still more derogatory to such an individual to accept a seat in the National councils purchased by moral treason to that portion of the Union that has fostered him, and that Mr. King's conduct met the unqualified disapprobation of the General Assembly.

The resolutions were taken up by a vote of twenty-one to sixteen, and made the special order for a future day, among those voting in the affirmative being Senator Thomas Purse of Savannah. Final action was never taken on them, they being based upon misapprehension of Mr. King's real attitude. As a further exemplification of the temper of the times upon this absorbing question it may be stated as an incongruous attempt to embody the spirit of the people that a military company in Lagrange was incorporated as the "Georgia Constitutional Guards of Troups."

This legislature passed a special act allowing a young man to practice law, who has occupied a large portion of the public attention since, Mr. Osborn A. Lochrane. A poor Irish youth, he began his career in this country as a drug clerk in Athens, Ga. He made a speech in a debating

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society that attracted the attention of Chief Justice Lumpkin, who advised him to read law. He did so, and has been a noted person in Georgia matters. He culminated his profession by a seat on the Supreme Court as Chief Justice. Judge Bleckley said of him to the writer, that he possessed a dual intelligence ; one, a flashing surface sparkle of froth and pleasantry, and underneath a strong, industrious, logical mind, searching, original and vigorous. He has built into fortune and national repute as a lawyer. The friendly bonhommie of his nature has made enmity to him impossible. Tolerant to all political creeds, genial and humorous, full of business capacity, a thinker and an orator, Judge Lochrane has been a conspicuous example of unusual success, achieved by a capable intelligence sun-shining itself through the world.

Senator Brown's career as a state senator was a noted step in his upward progress. It was too limited an arena and too short an episode to give him a state repute. It enlarged his local fame and home influence. It formed a valuable part of his public education. It brought him into acquaintance with many of the leaders of thought in the state. It strengthened his confidence in his own powers and resources. And it was a curious piece of discernment, prophecy and candor in his venerable and distinguished opponent and rival in leadership, Andrew J. Miller, to have used this remark :

"Joe Brown will yet stamp the impress of his greatness upon the future history of the state."

CHAPTER IV.

HERSCHELL V JOHNSON AS GOVERNOR.

Howell Cobb and C. J. McDonald in 1851.—The Union Victorious over Southern Rights.—H. V Johnson and C. J. Jenkins in 1853.—Alfred H. Colquitt makes Johnson Governor.—Southern Rights Triumphant.—Brown an Elector.—The Whig Party Riven.—C. J. Jenkins for Vice-President.—The Tornado of Know-Nothingism.—A Mad Flurry and a Hard Fight.—Alex. Stephens and His Political Shroud.—The Triangular Contest for Governor.—H. V Johnson, Garnett Andrews and B. H. Overby.—Brown's Race for Judge against David Irwin.—An Acrimonious Battle.—Young Brown Victorious.—Brown is a Perilous Political Fighter.—Gaddistown Stands to Brown.—Brown a Rare Judge —Racy Anecdotes of His Judicial Administration.—Brown Comes to the Edge of His Destiny.

RETURNING home to the practice of law, Mr. Brown gave his attention with all the vigor of a decided nature and strong abilities to his congenial profession. He continued practice until the fall of 1855, when he took his chances before the people of his circuit for election to the office of judge. The method of selection of judges had been changed from election by the legislature to election by the citizens of each judicial circuit.

During the intervening period Howell Cobb had been elected Governor of Georgia, and served from 1851 to 1853, beating ex-Governor McDonald in a well-contested race. The Southern Rights question had been made an issue, and Mr. Cobb, representing the Union party, had whipped the fight. Mr. Cobb was one of the really great men of the nation. Entering political life young, he had been almost uninterruptedly successful. As a representative in Congress, a United States senator and a Cabinet minister, he had reflected luster upon his state, and made a national reputation for statesmanship. Wise, conservative, able, resolute, amiable and social, Mr. Cobb was one of the most popular and esteemed public men Georgia has ever had.

In 1853, Herschell V Johnson was elected Governor, beating Charles J. Jenkins by a small majority in one of the closest and sharpest campaigns of Georgia annals. The Southern Rights party had received a black eye in the defeat of its candidate, ex-Governor McDonald, by Howell Cobb in 1851, and it was claimed that the issue was settled. But the Southern Rights men made a new effort in 1853, under H. V

Johnson, and this time they succeeded, though by a close shave. It was in this race that Alfred H. Colquitt made his first important political fight. He took the field as the nominee of the Democratic Southern Rights convention for Congress against James Johnson, the Union candidate. The Union men in this district, the second, had a majority of fully three thousand. It looked like a forlorn hope to overcome it. But young Colquitt and that other bright youngster, Thomas C. Howard, took the stump, canvassing through the congressional district for two months, riding in a buggy and making daily speeches. It was a lively battle and proved to be the crucial point of the gubernatorial contest. Young Colquitt had all the prestige of his gifted father's wonderful name and popularity. He was handsome, genial, able and eloquent. Added to this was the guidance of his father, who was an unprecedented political leader. The result was a surprise of effective work. Young Colquitt swept the district triumphantly, carrying the gubernatorial guerdon on his strong shoulders, and he had the glory of not only winning his own election by a reversal of the heavy majority against his party, but of securing the success of his party candidate for Governor.

The only political part that Joseph E. Brown took very actively in these contests, was that in 1852 he was nominated on the Democratic electoral ticket for Pierce and King, and kept up his practice of political success by receiving the highest vote of any on the ticket, though he was its youngest member. It will recall an interesting fact of that campaign to state that a convention held in Macon nominated Daniel Webster for President and Charles J. Jenkins for Vice-President. Mr. Jenkins had declined to support either Pierce, the Democratic candidate, or Gen. Scott, the Whig candidate for the presidency. The national controversies on the slavery question had played the wild with parties in the South, and especially in Georgia. The Whigs were driven from their national party alignments. Robert Toombs and Alex. H. Stephens, the chief Whig leaders in Georgia, had declared the Whig party north unsound on slavery, so dear to them, and came to the Democratic party. A number of the Whig leaders in our state found it hard to yield their old antagonism to the Democracy. It was a mixed state of things among the Whigs, some supporting the Democracy, some supporting the Whig candidate, Scott, and some in the middle and southern parts of the state refusing to support either. Another issue split both Whigs and Democrats in Georgia, and that was the Union and Southern Rights question. But its effect was more disastrous to the Whig

organization. Mr. Jenkins' attitude in the presidential campaign lost him strength in his gubernatorial race.

Right upon this disintegration of the Whig party was sprung a new political question, that furnished a new distraction for the seething political elements. It swept the country like a prairie on fire. In the history of political agitations there never has been an instance of a more sudden or furious public storm than that created by "KNOW-NOTHINGISM." Crushed in the national contest and hopelessly riven in the Southern states, the Whig party found a temporary refuge in this new-fangled American party. It had a large following in Georgia for a while and a respectable one too. It was bitterly fought. Ex-Gov. McDonald, Howell Cobb, Alex. H. Stephens, Robert Toombs and Hiram Warner wrote strong letters against it, while Mr. Stephens made some of the ablest speeches of his career on this subject. The term of Mr. Stephens in Congress was out. He was uncertain of running again. He wrote a letter to Judge Thomas W Thomas against Know-Nothingism in response to a request for his views. He was vigorously assailed, and declared to have made his political shroud, when, with that defiant audacity that has marked his life, he announced his candidacy and proceeded to test the issue of his "political shroud." His speeches were masterpieces, and he converted the shroud into a wreath of political laurels, returning to Congress by a majority of over 2,000.

The gubernatorial issue was Know-Nothingism. H. V Johnson was almost unanimously re-nominated by the Democratic convention, of which James Gardner was president. The candidate of the Know-Nothings was Garnett Andrews, and the temperance men ran B. H. Overby. The contest was sharp and animated. Johnson was re-elected, his vote being 54,476 against 43,750 for the American candidate, and 6,261 for the temperance man, and his majority 10,726 over Andrews, and 4,465 over both of the other candidates. The American party showed a surprising strength, and illustrated how Know-Nothingism had clutched the country. Mr. Charles J. Jenkins, as in the presidential contest, followed a peculiar course. In a short and characteristic letter, he stated, "Being neither a Democrat nor a Know-Nothing there is no place for me in this contest."

As the reader will readily divine, Joseph E. Brown was a decided Anti-Know-Nothing. Its secrecy, its religious proscription, its warfare upon foreigners, little suited his republican tastes and political liberality. He was too thoroughly imbued with the spirit of our free institutions to

encourage ideas and theories so antagonistic to the genius of our democratic government. In his race for judge of the Blue Ridge Circuit the Know-Nothing issue was sprung against him, though Judge David Irwin, his opponent, claimed not to be a member of the order. Judge Irwin was one of the leading citizens of our state, and is living to-day respected and honored for his abilities and worth. He was in active political life in 1840, an ardent Whig. He was a candidate for elector on the Clay ticket in 1844. He was a decided Union advocate in the Southern Rights contest of 1850, and the years following. He had, to a large degree, the confidence of the people of his section. He had been elected to the bench in 1857, and was seeking re-election at the hands of people who knew and esteemed him in endorsement of a just and able administration of the law. It will thus be seen that a more formidable opponent young Brown could not have had.

The contest was lively and became acrimonious. Judge Irwin's friends attacked Brown savagely. Brown's friends were not slow to strike back without gloves. The press was kept warm with attacks and counter-attacks. The new county of Pickens, which was formed at the previous session of the legislature through the active agency of that well known legislator, L. J. Alred, and with the aid of Mr. Brown, gratefully remembered the latter, and at a meeting of the Democracy in Jasper in June, gave a ringing endorsement of Brown's candidacy. Irwin's friends charged that Brown was a partisan candidate and pulling down the bench into political mire; that Brown had sometime worn unlawful weapons, etc., etc. Brown's friends retorted that Irwin was a Know-Nothing; that he was slow in dispatching business, and had allowed the dockets to get behind; that he was afraid to keep order in the court; that he had always fought the Democracy, etc. The campaign showed how, in a hot struggle, good men can be belabored and lampooned. Brown gave his popular and powerful competitor a striking defeat. He had a reasonable majority to start with. But the fight strengthened Brown largely. He had the same methods then he has used since. He was aggressive, vigilant, untiring, arousing an impassioned interest in his friends, and recriminating with all the vigorous audacity of his nature. The truth is that Georgia has never had a more fearless and potential political fighter than Brown. Woe be it to his adversary who goes at no-quarter hitting and has a weak record. Cool, resourceful, relentless, our public annals show no more perilous political opponent than he has proven himself in such a multiplied variety of desperate battles as demonstrate that his masterly powers were natural.

Of the eleven counties in the judicial circuit Irwin only carried three by small majorities, Campbell, Cobb and Polk. The aggregate majority in the three counties was only 68 ; Cobb, Irwin's own county, only giving him two majority. The remaining seven counties, Cherokee, Fanning, Forsyth, Gilmer, Lumpkin, Paulding, Pickens and Union, gave Brown 2,898 majority; Union with her now historic Gaddistown standing gallantly to her young son by adoption with his famous bull-plowing experience, and rolling up for him a good solid majority of 517 in a vote of 1,000. It was a remarkable victory, especially in view of the strong man Judge Brown had to defeat. It was a fair, square fight too, even, equal and honestly won.

Judge Brown's administration of the bench was in many respects the most extraordinary phase of his public career. Though he had served only two years when he was called to a higher place of trust, his brief period of judicial presiding was eventful, and is a tradition of power and success in these mountain counties to this day. Numbers of anecdotes are current illustrating his salient qualities and positive management. He kept perfect order and an unbroken discipline. For years there had been a sort of steady drift to a loose, easy governing of the courts, so much so that it was a matter of complaint that it retarded the dispatch of business. Lawyers had acquired a large latitude of freedom. Much of the power of the judge had been gradually yielded in criminal matters, the injurious practice having grown of allowing solicitors to compromise the grade of verdicts on the basis of certain agreed amount of fines fixed beforehand. This of course tended to make the administration of criminal justice a matter of pecuniary accommodation to the prosecuting officer. Judge Brown was just the man to remedy these matters and he did remedy them. He had nerve for anything. He tackled these practices promptly. He instituted perfect order in the court-room, which aids the rapid dispatch of business. He drove through the dockets until he cleared them. He kept counsel to the point, and stopped legal discussion when his conclusion was reached. He made his mind up with that decisiveness that has marked him in all things. The opinion is universal in his circuit that he was the best judge they ever had. If he had any fault it was a leaning to severity. He kept juries and court officers to their duty. Jurors and counsel were always on hand to the minute.

At one of the mountain courts the Solicitor General got on a spree. The Judge promptly appointed a solicitor for the time in his place. The intoxicated solicitor started to rebel, when the Judge coolly

stopped the insubordination by quickly informing the officer that upon any further demonstration he should order him to jail.

At another court a drunken fellow, a very desperate rowdy and defiant of the authorities, came into the court room and made a good deal of noise. The Judge promptly fined him. The fellow paid the fine and started out staggering noisily, and making much fuss with his creaking boots. The Judge determined to make an effective example of him, and ordered the Sheriff to collect another fine for the noise he made in going out with his creaky boots. Thoroughly subdued and despairing of getting out noiselessly, the fellow slipped down on his knees and crawled out of the court house, humbly deprecating the Judge's wrath. The incident created much amusement and satisfied the people that Judge Brown meant to have order in his court. His iron will brooked no resistance to his legal authority. It must be held in mind that off from the railroads, in the rude mountain sections, men are more inclined to be impatient of restriction. There seems to be something in the mountain air that makes its citizens wilder when insubordinate. At the same time it is true that in those regions there is a very large measure of reverence given to the majesty of the law, as embodied in the Judge. He is a sort of an autocrat, and regarded with high respect as the powerful agent of the resistless and awful genius of the law.

In the intellectual and legal qualifications of a judge, perhaps there has never been in Georgia one to surpass Judge Brown. An analytical mind of unusual strength, close discrimination, patient research, quick legal intuitions, an exhaustive study of authorities, a logical power of argument and a clearness of statement extraordinary, constituted an array of elements of fitness for judicial duty rarely equaled. An unusually small proportion of cases in his ridings were taken up to the Supreme Court, and his decisions were rarely overruled. A firm, an honest, and an able Judge, he made the court honored as a model tribunal of justice. Frowning down unnecessary delays, he enabled suitors to get speedy trials. Adamantine in his stand against crime and criminals, he administered the criminal law with a resolute hand. He allowed no compromises with wrong, but struck down vice and violence whenever they showed themselves. Absolutely impartial, he was governed by neither favor nor prejudice, and decided the right as he honestly saw it, irrespective of personal considerations. A man of christian character, he held in earnest keeping the good of society and the preservation of morals. Possessing a business sense of marvelous practicality, he carried into the management of his courts that system, dis-

patch and energy, that have given him his steady and phenomenal success in his worldly matters.

This placid, positive, capable gentleman made a remarkable reputation as a Judge in his circuit, a reputation that in the land of telegraphs and railroads, mails and daily newspapers, would have carried his name broadcast, and made him a state fame. But, "cribbed, cabined and confined," in the remote hills of North-east Georgia, whatever his merit, he had little chance to be known outside of his hidden bailiwick. There he achieved a celebrity very marked. There was an iron force of character and a positive way of doing things that made the administration of this slender, quiet-mannered, calm-spoken Judge, a highly dramatic one.

He had come, however, to the edge of his destinies, that enlarged sphere of public duty for which nature had lavishly fitted him. And the transfer came curiously.

CHAPTER V

GOV BROWN'S SCRATCH NOMINATION FOR GOVERNOR IN 1857.

James Gardner, J. H. Lumpkin, and H. G. Lamar in Gubernatorial Conflict.—Gardner Wrecked by a Youthful Indiscretion —L. N. Trammell's eye on Brown.—Incident of Trammell and S. J. Smith.—The Famous Convention.—Its Personelle.—Linton Stephens.—A Long and Heated Balloting.—A Dead-Lock for Three Days.—Gardner's Nemesis.—Experimental Voting.—The Slaughter of Gardner keeps on to the Others.—Fillibustering without Limit.—A Committee of Conference.—Colquitt's Graze at Governor.—A Chapter of Surprises.—The Gubernatorial Lightning Strikes Joe Brown, while he was Binding Wheat in the Mountains.—An Incident in 1880.—Dick Clarke's Speech.

THE gubernatorial campaign of 1857 was a very memorable one in Georgia politics. It was marked by much personal heat, it ended in a protracted convention, and had an utterly unexpected result. It finally settled the gubernatorial aspirations of some very prominent and distinguished men, and brought to the front by one of those scratches that sometimes occur in politics, an almost unknown individual who from that day to this has been the leading factor in public matters, who is to-day the most powerful citizen of our State, and whose future, if he lives and has his health, is big with great possibilities.

There were five prominent gentlemen for the high position of Georgia's chief magistrate, James Gardner of Augusta, Henry G. Lamar of Macon, John H. Lumpkin of Rome, Wm. H. Stiles of Savannah and Hiram Warner of Merriwether county. James Gardner, as editor of the Augusta *Constitutionalist*, had achieved a remarkable influence. A small, quiet-mannered gentleman, without any capacity for public speaking, he was possessed of more political writing ability than any editor we have ever had in Georgia. Bold and able, coming of a family known for their courage and decision, Gardner made himself a power in Georgia politics, and his paper yielded a tremendous influence. He was, however, a romantic instance of how youthful folly can wreck a strong man's greatest hopes. Gardner in his youth had been guilty of an indiscretion with a young lady, whose family was powerful enough to make him feel their resentment. The ghost of this folly followed him relentlessly. It was exaggerated and used like an avenging Nemesis.

It defeated him for the Democratic nomination for Governor, and blighted his political ambition.

John H. Lumpkin was the candidate of North Georgia, which section vigorously claimed the right to have the Governor. Lumpkin had been a Congressman and Judge of the Superior Court, and was a gentleman of excellent ability. Henry G. Lamar was one of the famous and brilliant Lamar family, that have been so conspicuous in the annals of State and Nation. It has been a family of genius and courage, a family adventurous and eloquent. Judge Lamar was a strong member of this notable and gifted blood. He, like Lumpkin, had been Judge and Congressman. Wm. H. Stiles of Chatham, was a stately and aristocratic gentleman, a writer of exquisite culture and a silvery tongued orator. He frequently served in the State Legislature. He possessed excellent abilities. Judge Warner we have spoken of. In addition to these, the name of Alfred H. Colquitt was also discussed, who became Governor in 1877, twenty years later.

A few friends of Judge Brown in his section, among them L. N. Trammell, Wm. Phillips and Sumner J. Smith, had their eyes upon him and determined, if there was any chance to do so, to press him for Governor. But the general mention of his name for the place even in his own section was not made, Judge Lumpkin being the accepted candidate of the section. Mr. Trammell told the writer that he and Smith rode down to the convention as delegates in a buggy together, and were united in the purpose to push Brown if possible. Col. Trammell has been a strong factor in State politics for twenty-five years. He was quite a young man then, with only ordinary facilities of education. His father was a gentleman of great force of character. Young Trammell has shown a remarkable capacity for political management, and as will be seen, in this very campaign he gave evidence of his power. Col. Smith was a large, powerful man, of extraordinary vehemence and volubility in speaking. In the Legislature, when he got into a controversy with any one, he had a habit of springing to his feet suddenly, rushing over in the vicinity of his opponent, pouring out the most fiery torrent of declamation with vigorous gestures, and then stopping suddenly, he would stalk back to his seat and drop into it with a startling suddenness. Tatum, of Dade county, a great wag, put a rousing laugh upon Smith in one of these controversies by rising and pointing his long finger at the rapidly retreating figure of Smith, exclaiming with mock solemnity the scriptural quotation, "The wicked fleeth when no man pursueth."

The convention of the Democratic party to nominate a Governor met

in Milledgeville, the 24th of June, 1857. There were 107 counties represented, with 399 votes. The President of the convention was Tenant Lomax of Columbus, the editor of the *Times*, a gentleman of fine attainments. Counties with two Representatives cast five votes, and other counties three votes. Among the delegates were Judge R. H. Clarke, O. A. Lochrane and James A. Nisbet of Macon; Alfred Austell of Campbell, now a wealthy banker of Atlanta; George A. Gordon and Philip M. Russell of Savannah; the latter a potential controller of Chatham county politics for the last quarter of a century; Wm. Hope Hull of Athens, now dead; Hugh Buchanan of Coweta county, Judge Thomas W Thomas of Elbert, E. W Chastain of Fannin, Judge Augustus R. Wright, J. W H. Underwood and Daniel S. Printup of Rome, Thomas Morris of Franklin, John W Duncan of Fulton, W H. Dabney of Gordon, Linton Stephens of Hancock, F. H. West of Lee, C. J. Williams and Peyton H. Colquitt of Muscogee, Herbert Fielder of Polk, T. L. Guerry of Randolph, Julian Cumming and Geo. T. Barnes of Augusta, E. W Beck of Spaulding, W A. Hawkins of Americus, S. J. Smith of Towns, L. N. Trammell of Union, Geo. Hillyer of Walton, B. D. Evans of Washington, E. H. Pottle of Warren, D. B. Harrell of Webster.

Mr. Lochrane married a daughter of Henry G. Lamar; Judge Thomas of Elbert was in that day one of the pronounced and foremost men of the state. Judge Wright of Rome was one of the brightest thinkers and most sparkling orators we had, but an embodied independent. Col. Printup became afterwards a wealthy railroad lawyer. A smart little gentleman was John W Duncan, whose regret was that he was foreign born, thus excluding him from being President. Col. Dabney was a profound lawyer, and since the war was well known as having been defeated for congress by the doughty Parson Felton, who so long politically ruled the seventh congressional district. The most powerful man intellectually in this convention was Linton Stephens, brother of Alexander H. Stephens. A nervous, sinewy person, there was an intrepid audacity of brain in Stephens, and a muscular vigor of logic that few men have. His nature was jagged and aggressive. He worked badly in joint harness. His unmalleable spirit ill brooked government, and was not suited to harmonious cöoperation. Positive and independent he had his own views of things, and was unbending in his convictions. We have had few men in Georgia the superior intellectually of Linton Stephens, but he was too uncompromising and outspoken to succeed by popular favor. He became judge of the supreme court, appointed by

Gov. Brown, and was afterwards elected and went to the legislature, but he never could get to Congress, where he would have been a conspicuous figure. Gen. C. H. Williams of Columbus became a gallant soldier of the war and a warm friend of Gov. Brown. Peyton H. Colquitt, brother of Gov. Alfred H. Colquitt, was a splendid physical specimen of a man, was rising rapidly when the war broke out, and but for his death in the bloody battle of Chickamauga at the head of his regiment would have gone up to high political preferment. Herbert Fielder moved to Randolph county and has been a leading figure in state politics since the war, having been pressed for Governor and United States Senator. Col. E. W Beck was sent to Congress. E. H. Pottle and D. B. Harrell both became judges. Augusta has furnished a rare family of men, of which Julian Cumming was the most gifted. He had glittering charms of mind and speech, but died young. Another gentleman of unusual powers was Willis A. Hawkins, one of the most electrical talkers, and a superb advocate. He reached the Supreme Bench. Such was some of the material of this memorable convention.

A committee on resolutions was appointed, with Judge Thomas W Thomas as chairman. Gen. C. H. Williams put in nomination Lamar; Samuel Hall, Esq., nominated Gardner; Thomas Morris presented the name of Lumpkin; D. B. Harrell nominated Stiles, and R. J. Willis presented Hiram Warner. The first ballot resulted as follows: Lumpkin 112, Lamar 97, Gardner 100, Warner 53, and Stiles 35. Gardner showed a clean pair of heels and steadily rose to 141 on the sixth ballot, with Lumpkin 124 and Lamar down to 46. A sharp fight was made over the right of alternates to vote, and resulted in their being allowed to do so. After the eighth ballot, Lamar having fallen to 35 with Gardner at 152 and Lumpkin 122, Lamar's name was withdrawn, and the ninth ballot resulted with Gardner 172, Lumpkin 127, and Warner 64. Mr. George Gordon then practically withdrew the name of Wm. H. Stiles in a neat speech, saying that it was not the purpose of the Chatham delegation to present the name of Stiles at the opening of the convention, hoping if no selection could be made from the more prominent candidates the convention would unite on him. A delegate from another county had put in Col. Stiles, and the Chatham delegates could not withdraw him, but he begged those who had been supporting him to feel at liberty to vote for any one else. No one but a Savannah man could have made this diplomatic speech. By this time the convention had become thoroughly heated up. The alignments were distinctly drawn. The fight on Gardner became desperate. The Nemesis of that

William H. Stiles

HON. WM. H. STILES, Ex-U. S. Minister to Austria.

youthful indiscretion stalked openly and importunately into the battle. Experimental votes were shot in for one after another of new men, Henry R. Jackson, Joseph Day, T. W Thomas, J. H. Howard, H. Cobb of Houston, E. Starnes and J. N. Bethune.

Gardner's friends made a tremendous effort on the tenth ballot and strained his vote to 173, but it was the top notch that he reached. On the eleventh ballot he tumbled to 151, and it was evident that he was slaughtered and his chances gone. After the thirteenth ballot a short patriotic letter from Gardner to Col. Clanton, the chairman of the Richmond county delegation, written on the 19th of June, five days before, was read. It was a ringing little letter, characteristic of Gardner. It said that a contingency might arise where his nomination was impracticable ; that a harmonious union on a candidate was indispensable, and he regarded party harmony as above the success of any member of it ; if it became necessary he authorized the withdrawal of his name. And his name was taken out, and his gubernatorial hopes were forever dead. He was out, but a spirit had been raised that would not down. The slaughter continued, and Gardner's friends prolonged the funeral. Thomas hoped his friends would not vote for him.

The name of Lamar was re-introduced by Gen. Williams. The fourteenth ballot was taken amid a suppressed but fiery excitement. A solid legion of 151 votes were turned loose, and the seething body was burning to see where lightning would strike. Lumpkin bounded to 179, Lamar had 137, Warner took his original 53 with three more, Stiles received 4 and Alfred H. Colquitt plumped in with 10. Lumpkins' friends became almost delirious. It looked as if his chances were sure at last. Their enthusiasm was unmeasured. The announcement of the ballot brought a storm of applause from them, and the next ballot was taken with feeling at fever heat. Mr. Harrell withdrew the name of Stiles, and the fifteenth ballot was taken, showing that Lumpkin had gained four votes, standing 183, Lamar 140, Warner 61, and Stiles 4. Lumpkin had reached in this ballot his highest point. On the next ballot he fell off, and though he rallied to 179 again, there was an unmistakable dead-lock. The balloting went on to the twentieth, extending the session of the convention to the afternoon of the third day. The feeling was intense, and seemingly implacable. The Gardner men stood resenting his treatment and immovable. New names were flung into the contest but unavailingly. Votes were skirmished upon W W Holt, Geo. A. Gordon, J. W Lewis, H. V Johnson, E. J. Harden, A. R. Wright of Floyd, John E. Ward, and even three were

thrown on the nineteenth ballot to Jos. E. Brown. There was fillibustering without limit. Strong speeches of appeal in behalf of each candidate were made, but there was the hot dead-lock unbroken and unbreakable. Col. Pottle futilely moved the abandonment of the two-thirds rule. On the nineteenth ballot Warner was withdrawn. One more ballot was taken as a final test. It stood Lumpkin 179, Lamar 175, Warner 1, H. V Johnson 11, Wright of Floyd 5, John E. Ward 3, J. E. Brown 3.

The realization was universal that there could be no nomination in the continuance of the conflict. No man had even reached a bare majority, much less a two-thirds majority. The convention was wearied and ripe for compromise. Mr. Wm. Hope Hull of Athens moved that a committee of three from each District, to be selected by the delegates from the District, be appointed to report a mode in which the convention could be harmonious, and a nomination be made. This was done.

That quick-witted and unequaled political manager, Col. L. N. Trammell, saw his opportunity for Brown, and in the meeting of delegates of the 6th District he moved the selection of the chairman and then promptly moved that three gentlemen, whom he knew to be Brown men, be appointed as the committee men from his district. The committee of 24 were as follows :

1st District, R. Spaulding, G. A. Gordon, Wm. Nichols.
2d District, C. J. Williams, N. McBain, J. A. Tucker.
3d District, R. H. Clark, J. A. Ramsay, B. F. Ward.
4th District, H. Buchanan, W T. Thurmond, W. Phillips.
5th District, J. W H. Underwood, E. W Chastain, W Shropshire.
6th District, S. J. Smith, J. E. Roberts, W H. Hull.
7th District, L. Stephens, Wm. McKinley, J. M. Lamar.
8th District, I. T. Irwin, A. C. Walker, E. H. Pottle.

The committee retired. Wm. H. Hull and J. A. Tucker, both dead, are responsible for the following extraordinary scrap of secret history. In the committee it was first proposed that a ballot be taken, each one writing his preference on the ballot. The ballots were written and deposited, but before they were read, Linton Stephens stated that such a formality was not necessary, and moved that Judge Joseph E. Brown of Cherokee be selected as the compromise man, which was promptly carried by voice, and his name reported to the convention. Through curiosity the written ballots were counted, and Alfred H. Colquitt was found to have had a majority of one. It was a close shave to becoming the Governor of a great state at the youthful age of 31. Had the ballot have been examined and announced, what a change of result.

It is curious to follow out the incident. Joseph E. Brown thus unwittingly defeated Alfred H. Colquitt for Governor after Colquitt had been really nominated. Twenty years later, Colquitt became Governor of Georgia, winning in an easy fight the place that he held in his grasp by an accident so long before. Twenty-three years later Colquitt, as Governor, appointed as United States Senator Governor Brown, who took the governorship from him so many years ago. And this was followed by Gov. Brown aiding Gov. Colquitt to a re-election as Governor in 1880, in the fiercest and most protracted personal and political battle ever witnessed in Georgia. The matter certainly contributes a singular and romantic chapter of accidents, surprises and coincidences. Judge Hawkins, who was in the convention, told the writer that Colquitt had a strong following for Governor then.

But to Joseph E. Brown fell the glittering prize, dropping to him like heaven-descended manna, unsolicited, unexpected, the outcome of a heated struggle, and a providential gift born of a state political convulsion. Not the least curious of the incidents of this remarkable nomination is the undoubted fact, that at the very hour when this magnificent honor was being conferred, Judge Brown was working in his wheat-field on his farm, far away from the telegraph and railroad, in the quiet, distant county of Cherokee, unconscious of his exalted preferment. The incident keeps up the romantic character of the nomination, as well as preserves the consistency in the dramatic career of this homespun man. In the fall of 1880 the following incident took place as narrated by the Atlanta *Constitution*, which furnishes Gov. Brown's own testimony to the fact.

"Gov. Brown on his way to Canton a few days ago, remarked to some men who were near Canton: 'That is the field, gentlemen, that I was tying wheat in the day I was first nominated as Governor of Georgia,' pointing out a field laying along Town Creek. 'I was then Jndge of the Blne Ridge Circuit,' he continned, 'and I came home one day, and after dinner I went to the field to see how my hands were getting along with their work. I had four men cutting wheat with common cradles, and the binders were very much behind, and I pulled off my coat and pitched in, about half after 2 o'clock p. m., on the 15th of Jnne, 1857 The weather was very warm, bnt I ordered my binders to keep up with me, and I tell yon it made me sweat, but I pnshed my binders all the evening. About sundown I went home, and was shaving myself and preparing to wash myself for snpper, when Col. Sam'l Weil, now an attorney in Atlanta, but then living in Canton, rode up rapidly to my house. He came in and said excitedly to me: 'Jndge, gness who is nominated for Governor at Milledgeville?' I had no idea that I was the man, but I thought from what I had heard that John E. Ward was the most prominent man, so I gnessed him. 'No,' said Col. Weil, 'it is Joseph E. Brown, of Cherokee.' Col. Weil was in Marietta when the telegram came annonncing my nomination. I snbseqnently ascertained that the nomi-

nation had been made about three o'clock that day, and at the very time I was tying wheat in this field. They say in Canton that two or three men have been trying to buy this field latterly. They want to sow it in wheat year after next."

Mr. I. T. Irwin of Wilkes, chairman of the committee of 24, reported to the convention the action of the committee, in a neat speech. Richard H. Clark of Bibb made the following characteristic and admirable speech in support of the report of the committee:

"Unlike the gentleman who preceded him, he was acquainted with Hon. Joseph E. Brown, had served with him in the Senate, knew him to be a man of sound principles, clear head, unquestioned ability, and speaking powers of the first order. The reputation made by him as a member of the legislature was of the first order. He is a man of unexceptionable character, in every respect, private or public. He is young enough for the services of the campaign, and for a long career of usefulness, and not too young for a matured judgment, and prudent counsels. His fellow-citizens have promoted him to the Judgeship of Blue Ridge Circuit, in which position his reputation as a man of intellect and integrity, has steadily increased. He comes from Cherokee, the stronghold of Democracy, and the balance of the state *take pride* in nominating him as a proper tribute to them, and will take *greater* pride in electing him."

This was a graceful and merited tribute from a high source to Judge Brown. The nomination was made unanimous. Resolutions reported by the committee on business, were passed, commending the administration of James Buchanan as President, and H. V Johnson as Governor, and the course of our United States Senators, Hon. Robert Toombs, and Hon. Alfred Iverson. The main resolution, however, was one condemning the inaugural address of Governor Walker, of the territory of Kansas, which prescribed the terms on which Kansas should be admitted into the Union as a state, and expressed the opinon that Kansas would be a free state; and the resolution declared Gov. Walker's course a gross departure from the principles of non-intervention and neutrality established by the Kansas bill, and expressed confidence that Mr. Buchanan would recall Gov. Walker.

The convention adjourned, having appointed a committee to notify Judge Brown of his nomination.

CHAPTER VI.

BROWN DEFEATS BEN HILL, IN A HARD CANVASS.

"Who is Joe Brown? the Query of the State —The Know-Nothiug Convention.—Its Personelle.—Dr. H. V M. Miller, the "Demosthenes of the Mountaius."—"Ranse Wright."—B. H. Hill Nominated.—An Earnest Campaign.—Brown's Practical Speeches.—The Calico Bed Quilt, and the Cherokee Girls.—The Real Issue Know-Nothingism.—Great Gatherings.—Southern Conventions.—Brown and Hill lock Horns.—A Tilt betweeu Severe Common Sense and Splendid Rhetoric.—Brown's Phenominal Development.—Sharp Sparring.—Brown, "D——d souud in his Doctrine."—Porter Ingram's Retort.—The Mountaiu Plow Boy Judge elected Governor over his brilliant Rival.—Kuow-Nothingism buried forever iu Georgia.—Gaddistowu Triumphaut.—The Man for Revolutious had come.

WHO is Joe Brown? was the earnest inquiry that rang over the state upon the adjournment of the Convention. It came sneeringly from the opposition press. It was echoed interrogatively by the Democratic papers. The pæans of local fame in the mountain countries, unpenetrated by the iron track, had not sounded beyond their borders. A brief service in the State Senate was easily forgotten in eight years of stirring public event, when one remained in the back ground out of sight. In a lively sketch in the *Constitution*, "H. W G." thus refers to this matter:

"General Toombs when in Texas, hearing that Joe Brown was nominated for Governor, he did not even remember his name, aud had to ask a Georgia-Texan 'who the devil it was.'

"But the next time he met him he remembered it. Of course we all remember when "Know-Nothings" took possession of the whig party, and Toombs and Stephens seceded. Stephens having a campaign right on him, and being pressed to locate himself, said he was neither whig nor democrat, but "was toting his own skillet," thus introducing that homely but expressive phrase into our political history. Toombs was in the senate and had time for reflection. It ended by his marching into the democratic camp. Shortly afterwards he was astounded at seeing the standard of his party, upon the success of which his seat in the senate depended, put in the hands of Joe Brown, a new campaigner, while the opposition was led by Ben Hill, then as now, an audacious and eloquent speaker, incomparable on the stump. Hill and Brown had had a meeting at Athens, I believe, and it was reported that Brown had been worsted. Howell Cobb wrote Toombs that he must take the canvass in hand at once, at least until Brown could learn how to manage himself. Toombs wrote to Brown to come to his home at Washington, which he did. General Toombs told me that he was not hopeful when he met the new candidate, but after talking to him a while, found that he had wonderful judgment and sagacity. After coquetting with Mr. Hill a while, they started out on a tour together,

going to south Georgia. General Toombs has talked to me often about this experience. He says that after two or three speeches Governor Brown was as fully equipped as if he had been in public for forty years, and he was amazed at the directness with which he would get to the hearts of the masses. He talked in simple style, using the homeliest phrases, but his words went home every time. There was a sympathy between the speaker and the people that not even the eloquence of Toombs could emphasize, or the matchless skill of Mr. Hill disturb. In Brown the people saw one of themselves—lifted above them by his superior ability, and his unerring sagacity—but talking to them common sense in a sensible way. General Toombs soon saw that the new candidate was more than able to take care of himself, and left him to make his tour alone—impressed with the fact that a new element had been introduced into our politics and that a new leader had arisen."

The American or Know-Nothing party held a convention. Fifty-seven counties were represented. The gentlemen most prominently spoken of for the American nomination were Dr. H. V M. Miller, Judge Robert Trippe, B. H. Hill, A. R. Wright of Augusta, General J. W A. Sanford, Judge Baxter, and Col. John Milledge, a bright, brainy, eloquent galaxy of men. Dr. Miller, though a physician, had won the soubriquet of the "Demosthenes of the Mountains" in his innumerable political encounters, for which he had the same passion that the Irishman is popularly believed to have for a "free fight." Deeply versed in constitutional law and political lore, a reasoner of rare power, and as fine an orator as we have ever had in Georgia, capable of burning declamation and closely-knit argument, he was the peer on the stump of any of the great political speakers of the last half century in Georgia. Unfortunately for him, he had two perilous peculiarities, a biting sarcasm that delighted in exhibition of its crushing power, and that spared neither friend nor foe, and a contemptuous and incurable disregard of party affiliations. He never in his life worked in harmony with any party, or swallowed whole, any single party platform. And no man ever had more stubborn independence and self-assertion.

Ranse Wright, as he was called familiarly, was another brilliant person, a strong impassioned speaker, with a high order of mind. He was at times too self-willed and combative. He could not temporize enough, often raising unnecessary antagonisms. But he was a very gifted man, a powerful writer, an effective orator, and a rare lawyer. He made the Augusta *Chronicle* a newspaper power. He was a long time disappointed in political preferment, but he finally received the promotion he so richly deserved, and was elected to Congress, but died soon after, just when long delayed gratification of his ambition was especially dear to him, and his ripe maturity of mental gifts gave large promise of brilliant public usefulness. He was a very handsome man of the

blonde order. He was offered the Know-Nothing candidacy for Governor, but finally declined. Among the other leading Georgians who were members of this party, were, F. S. Bartow, Jas. Johnson, N. G. Foster, A. J. Miller, Wm. H. Crawford, Washington Poe, E. G. Cabaniss, James Milner, F. H. Cone, Jno. McPherson Berrien, C. Peeples, C. A. L. Lamar, J. A. Billups, ——— Stapleton, E. A. Nisbet, Thomas Hardeman, and others.

The American Convention put out Mr. Benjamin H. Hill as its nominee. Mr. Hill in some respects is as wondrously endowed a public man as the state has ever known. Tall and of commanding presence, with a marvelously mobile face, he has never had a superior in oratory and pure mental power in the commonwealth. It falls to the lot of few men to have such magical potency of speech, such irresistible mastery of assembled masses of men. A mind clear as a sunbeam in its intellectual perceptions, operating with a grand simplicity and invincible strength, and a capacity of expression so fluent, so luminous, and so intense as to be perfect, form a brace of qualities that make the man a demi-god in brain and eloquence. But he has somehow lacked the steady purpose and cool judgment that belonged so richly to Governor Brown, and Mr. Hill has not been what could be called a successful political leader, though he has won valuable victories. A pyrotechnical politician, he has had hosts of impassioned admirers, and generally an ardent minority following in the state. His superb abilities have won him office, in spite of defects that would have been fatal to a less gifted man. He is now in the Senate, where he has it in his grasp to achieve a great fame. His nomination by the Americans in 1857, created a sensation, and his party exulted in his certain triumph over his plain and unknown competitor.

The campaign became an earnest one. Judge Brown was greeted with a ratification meeting at Canton, his home, and made a strong, sensible speech, full of practicality. He referred modestly to his past career. He discussed the Kansas matter, condemning the course of Gov. Walker and upholding Mr. Buchanan. He touched upon State matters, foreshadowing his purpose to make the State road a paying enterprise—a purpose carried out with signal success. He promised to call around him safe counsel, and administer the State government for the best interest of the people. His letter of acceptance of the nomination was brief, and a model of good taste and sound statesmanship. It was like the man, clear and wise, and it excellently typified his intelligence. Two parts deserve reproduction. He said:

"The circumstauces of my uomination preclude the idea that I have made any promises either express or implied; and I shall neither make uor intimate any, to any one, as to the distribution of executive patrouage in the event of my election. If your nomiuation voluntarily teudered, should be ratified by my fellow-citizens at the ballot box, I shall enter upon the discharge of the duties of the important official trust which may be committed to me, perfectly free and independent of personal obligations. I shall exercise all power I shall have uuder the constitution and laws according to my best judgment, with au eye single to the promotion of the public interest, holding as I do, that those powers are granted for the sole purpose of upholding and advancing the rights and iuterest of the people."

The following paragraph is a remarkably fine one, and embodied in a nutshell the Democratic creed:

"The Union is the effect of the Constitution. We value it. We cherish the Constitutiou as its foundation, and because it provides the wisest plan of government for confederated States, and secures, if properly administered, the blessings of civil, religious and political liberty to the people. With hearts of patriotism we are devoted both to the Coustitutiou and to the Union."

The committee of notification were C. H. Williams, Geo. N. Phillips, E. D. Tracy, Wm. Phillips, Lawson Fields, W Hope Hull, R. M. Johnston and Wm. Schley.

Much amusement was created and an infinite deal of fun was expended by the opposition press over the fact that the ladies of Cherokee Co. presented Judge Brown with a calico bed-quilt in honor of his nomination. The Democratic press turned the matter effectively in Brown's favor. The incident took with the rural masses. Says the Milledgeville *Union*, concluding a witty article on the subject:

"All we have to say is—go ahead gals—give Joe Brown just as many calico bed-quilts as you please—it will be a compliment to the *Mountain Boy*, and save the state some hundreds beside. Hurrah for the girls of Cherokee, the plough-boy Judge and the calico bed-quilt."

The Cherokee girls and their calico bed-quilt became a slogan of victory for Brown.

Mr. Hill was notified of his nomination by a committee composed of Hines Holt, R. J. Morgan, and J. W Jones. His letter of acceptance was confined almost to an elaborate discussion of the Walker-Kansas matter, and a rasping indictment of President Buchanan, and said very little on State matters, and that merely a general expression of opposition to the Democracy.

The Georgia Democracy was divided upon the subject of Walker's inaugural in Kansas, and the resolution of the Democratic convention condemning Walker had created some spirited discussion in the Demo-

cratic press. The Know-Nothings hoped to profit by this division. They very adroitly assaulted Walker, but held Buchanan responsible, and assailed him and the National Democracy.

The real issue of this gubernatorial race was a tapering continuation of the ephemeral but fiery Know-Nothing agitation. It was a stormful flurry while it lasted. The people of Georgia especially took the swift epidemic hard, and had a tumultuous paroxysm of it. Along in 1856 there were mammoth mass meetings running up into the tens of thousands. October 17th and 18th, 1856, there was a vast Democratic gathering in Atlanta, fully 15,000 people present. Thursday the 17th, John A. Calhoun, W A. Wright of Newnan, George Hillyer of Walton county, and R. J. Moses of Columbus, spoke. And on Friday the 18th, Robert Toombs, Alex. H. Stephens, B. C. Yancy, Hiram Warner, Thos. P Saffold and L. J. Gartrell made speeches. Col. James Gardner was chairman of the huge affair. A banner was given to Newton county as the one sending the largest delegation.

In October, Toombs spoke in Augusta against Know-Nothingism in a noisy tumult. Savannah had upon this inflammable question the hottest municipal struggle she had experienced in years. The Democrats nominated Dr. Jas. P Screven; and the American party Col. E. C. Anderson—both representative citizens. Dr. Screven was a stern, slender, wealthy little gentleman, a most positive and influential leader. Col. Anderson was a large, genial, frank-mannered gentleman of a worthy and powerful family of the old and honored inhabitants of the place, a man of independence and brain. This fine old city was convulsed with this contest. It was a close race, the two mettled racers running nip and tuck. But the Democratic candidate came in on the home stretch with 1,101 votes against 971 for the Know-Nothings.

The Democratic mass meeting in Atlanta was followed by an equally huge convocation of the earnest Americans. This was October the 2nd, 1856. The lowest estimate of the number present was 12,000. Hilliard, Alford, Hill, Miller, Trippe, Wright and others spoke. At this meeting an ominous incident occurred. In raising a flag on a lofty pole, John McGehagan, a delegate from Morgan county, fell from the pole eighty feet to the ground and died in a few minutes.

In December, 1856, the Southern convention, called in the interest of Southern prosperity, met in Savannah. It had assembled in Richmond in February, 1856, and adjourned to meet in Savannah. Southern conventions were held at Macon, Augusta and Charleston in 1838 and 1839, Memphis in 1845 and 1849, Baltimore in 1852, New Orleans in 1851 and

1854, and in Charleston in 1855. Among the objects of these conventions were the valuable ones of enlarging Southern industries and diversifying Southern agriculture. Upon these industrial questions both parties were united, but upon the policy as to guarding Southern political rights the two were very widely apart, and the gubernatorial battle involved largely the national issue. The Georgia Know-Nothings were getting uneasy about their name, and showed some anxiety to get rid of this objectionable designation and establish their title as the American party. Linton Stephens, who was nominated in the seventh district, in his letter of acceptance made the most incisive and trenchant presentation of the issues.

The discussion between Judge Brown and Mr. Hill began at Newnan. It would be difficult to conceive two more radically different men in mind and methods. Mr. Hill was and is a hard foeman to tackle on the stump. He is both showy and strong. He had brilliant repute as a political controversialist. Judge Brown was unshowy, conversational and unknown. Both were bold men. Hill was imprudent sometimes, Brown never. Brown was just the man to puncture imaginative rhetoric. When the heat occasioned by Hill's entrancing declamation had passed off, Brown had the faculty to put the common sense of the situation in a clear, direct, unanswerable way. Brown was cool, wary and ready-witted. In his first speeches alone he did not pass for his real worth. His conversational talks disappointed expectation. But he grew wonderfully. And discussion drew out his power. Hill made some inaccurate statements. Brown used these inaccuracies with tremendous effect. Hill was magnificently mature. Brown improved with an accelerating rapidity every trial. It was with him a constant and marvelous development. Every discussion added to his controversial capacity. He never winced under a blow no matter how severe, and the harder he was hit the harder he struck back. Without humor he yet had a grim perception of incongruity that he put so plainly that it was like humor. The Democratic press crowed lustily over some of Brown's strokes at Hill. At Newnan, Brown said that the Federal government should act slowly. Hill replied that Buchanan was too *slow* a President for him, that he believed in a *fast* government, and he was afraid Brown would make too slow a Governor. Brown retorted very happily and tellingly upon his bright rival.

"It was true he was not a fast man. Mr. Hill was a *Fast Young Man*, he was a *Fast Candidate*, and if elected would doubtless make a *Fast Governor*. As for himself he was a slow man, and if elected would make a slow Governor. He liked Mr. Buchanan

for his slowness and prudence in deciding upon great questions affecting the people. Every President, holding in his grasp the destinies of a mighty nation like ours, should be cautious and slow to act."

The applause was lively over this palpable hit, and no little badinage was used at Hill as the "Fast Candidate," afterwards. At Columbus they met. Columbus is a very fastidious place, used to city manners and college graces. Mr. Hill therefore suited better the ideas of such an audience with his more showy declamation and impassioned utterances. Judge M. J. Crawford tells the good anecdote that while the Know-Nothing side was endeavoring to depreciate Brown for his plain ways and homely talking, Mr. Porter Ingram came to the rescue and turned the tables by saying earnestly that Brown was "d—d sound in his doctrine," unconsciously putting the invincible excellence of the man into the terse brevity of an axiom. The two candidates did not have many discussions. They each had their separate appointments, and there was a good deal of sparring about being afraid to meet the other. Judge Brown in all of his appointments invited Mr. Hill to be present. The result was a foregone conclusion before the election. The American party only claimed that they would reduce the Democratic majority.

There were several exceedingly racy Congressional contests going on that added considerable piquancy to the gubernatorial fight. The two Stephens brothers were both running for Congress and both on the stump making effective speeches. Linton Stephens' opponent was Joshua Hill, a gentleman of very superior ability. Hill's letter of acceptance was a model of political satire. He made a happy use of the Democratic predicament in condemning Walker but approving Buchanan whose appointee Walker was. Linton Stephens and Joshua Hill were marked opposites, one vehement and intense, the other placid and plausible. In the First District, James L. Seward was the Democratic nominee against that most brilliant Savannah gentleman, Francis S. Bartow. Seward was cool, adroit, managing. Bartow was eloquent, impulsive and wholly artless. The other Democratic candidates for Congressmen were, Martin J. Crawford, L. J. Gartrell, James Jackson, David J. Bailey, A. R. Wright of Rome.

A leading issue in the canvass was the sale of the State road, Mr. Hill being for its unconditional sale, and Brown advocating its disposition only upon advantageous terms to the State. The road had been a source of expense to the State, and there was a good deal of desire that the State should dispose of it in some way.

The election resulted in the success of Judge Brown over his gifted

competitor by an increased Democratic majority over the majority in 1855. The mountain plow-boy Judge ran with a nimble pair of heels and came in over 10,000 votes ahead. Alex. Stephens beat T. W Miller easily for Congress. Joshua Hill left out Linton Stephens by a close shave of 275 votes. Robert Trippe, the Know-Nothing, beat David J. Bailey by a small majority. James L. Seward whipped out both Gaulden and Bartow. L. J. Gartrell, A. R. Wright and James Jackson went in over Tidwell, Tatum and Simmons by large majorities. And a Legislature was elected overwhelmingly Democratic. It was certainly a crushing victory for the Democracy, and it buried Georgia Know-Nothingism forever out of sight. It was the practical end of that short-lived but animated political doxy. After this, with a few mild flickers, it disappeared out of Georgia politics. Graver issues were rising, that involved something more than mere party success. The shadow of great events, drifting to an awful culmination, was darkening the country. Mightier matters than political changes were pending. The spirit of revolution, cruel and implacable, was surely preparing for its colossal work of rupture and upheaval. And amid the marked forces of that vast civil convulsion, was the young plow-boy of the Georgia mountains, the hero of the calico bed-quilt, slender, obscure and homely, who had just won in a gallant battle the glorious Governorship of his great State. Talk of Providence and romances! Both were united in the philosophical chances of this pivotal election. The man for the times had come, iron-willed and fitted for revolutions.

CHAPTER VII.

BROWN'S ELECTION AS GOVERNOR THE PRECURSOR OF A STRIKING ERA OF CHANGE.

The Drift to a Stately Regime Checked.—A Popular Revolution.—The Antithesis of Gov. Johnson and Gov. Brown.—The Aristocrat and the Man of the People.—Brown's Inauguration.—His Appearance.—The Bank Suspension.—Brown's Declaration of War on the Banks.—The General Assembly of 1857.—Its Personelle.—John E. Ward.—John W. H. Underwood.—Robert Toombs.—Joseph Henry Lumpkin.—Toombs the Genius of the Impending Revolution and its Providential Instrument.—An Analysis of the Great Slavery Issue Pending.—A Conflict between Legally Fortified Wrong and Unconstitutional Right.

THE inauguration of Gov. Joseph E. Brown stamped the beginning of a new era in Georgia. In the course of state progress and individual advancement, families of talent, decision and wealth had become aristocratic and dominating. The cities had steadily grasped controlling power, representing culture and accumulations of bank capital and corporate influence. In the executive administration there was a tendency to costly display and court entertainment, far removed from the Republican simplicity supposed to belong to our free institutions. Men of high family connections and polished manners had the best chances for public honors.

In this drift of things to a stately and aristocratic regime, the election of a simple man of the people like Gov. Brown, representing to the fullest extent popular customs and ideas, was a decisive check to this tendency. Coming direct from the country people, and the mountain country at that, symbolizing severe simplicity of life and utter absence of social display, Gov. Brown's elevation to the chief magistracy of our great and growing commonwealth was a shock to the dominant public men and their views and practices. It meant serious innovation upon existing customs. It meant a grave warfare upon powerful institutions and cherished influences. It betokened an important revolution in well-established prejudices. It foreshadowed a severe struggle between conflicting theories of both social and financial government. And it seemed as if fortune had hit upon the right agent to conduct such a contest—an agent embodying the ideas he championed—an agent, earnest, firm-nerved, with unerring, intuitive popular discernment.

The writer at that time was just about grown, had been closely familiar with administrations for several years previous, and was well situated to be impressed with the new regime. Gov. Johnson, who preceded Gov. Brown, was an aristocrat intellectually and socially. He did everything in a royal way. He had little popular tact, knew nothing of popular influences, and how to reach the masses. To strong intellect he added classic culture, and attached great value to courtly proprieties. He paid a large measure of deference to custom and social and intellectual authority. Gov. Brown was the opposite—socially a democrat; looking under the garb for the throbbing heart and breathing humanity. He did everything simply and plainly, disliking display and averse to forms. He was full to the brim of popular ideas, had an almost infallible popular tact, knew wisely every popular influence, and had the keenest power of reaching the masses of any public man we have ever had in Georgia. His powerful mind sought nothing from ornament, dealt in no rhetorical finish, and was disregardful of ceremony. He was free from any sentiment of reverence for custom or authority unless his judgment approved. He gave no homage to power, and never hesitated to tackle it boldly. Social influence and official prestige affected him not at all. And yet Gov. Brown was under the strong despotism of old-fashioned and primitive ideas of moral government. But for either social glitter or the glamour of official distinction, he cared nothing. Whether fighting banks, legislature, the press, or a Confederate administration, this simple, plain-mannered man of the masses took up the wager of battle with a cool confidence in himself, and an invincible, unyielding spirit that was something dramatic. He was certainly a native-born belligerent. Nature had endowed him with powers of intellectual combat that few men possess. He showed himself at once a positive influence and a new and acknowledged successful leader on a large arena.

His inauguration, in 1857, is well remembered. He was thirty-six years of age. His figure was boyishly slender and fragile, but very erect. His face was cleanly shaven, rather square-shaped and oblong, having no comely attractiveness about it, and yet a pleasant, placid countenance, with a mild expression in marked contrast with his iron temper and combative disposition. His mouth was wide and thin-lipped, something like Henry Clay's, though not so extensive, and to a close observer indicating in its set the firmness of the man. His eyes had a gentle expression that in his smiling moods threw some sunshine over an otherwise rather expressionless face. His forehead

was very high and a good demonstration of the phrenological theory that the brain is symboled in the formation of the head. His hair was dark and lay close to his head and behind his ears, leaving a clear outline of the pale, bloodless face. His composure was perfect, though his manners, while not easy, were not awkward. There was about the man the quiet, steady calm of conscious brain power and self-reliant manhood, but none of the grace of the man of society. His country raising was distinct, and in his very clear and not at all musical voice there was the peculiar accent, long and tending to a rather drawling tone, with an emphasis on the concluding syllable of words that marks rural pronunciation. His use of the word judg*ment* for instance, with a perceptible accent upon the syllable "*ment*," has given rise in connection with his wonderful possession of the golden quality of practical sense to the soubriquet of "old judg*ment*," alike in recognition of his clear brain and his method of speaking. His garb was a plain black without attempt at fashionable fit, neat and simple. His very appearance and country marks but rendered him the more observable in his high promotion, and created a varied commentary upon him. His canvass had somewhat introduced him to the people, but he was still generally unknown. He was emphatically a new man, with his appearance unfavorable in impressing upon strangers his genuine power, and giving no indication of his uncommon qualities of will and ability Those who knew him well staked confidently upon his being equal to the new situation of responsibility. Those who did not know him, and they were the overwhelming majority, underrated him wofully. And, supplementing the impression made by his appearance with the accident of his nomination, they rated him low. Nor did his brief inaugural allow much room for display of power. Yet brief as it was, and purely formal as it generally is, Gov. Brown threw out in his quiet way and in a few deliberate words an utterance that fell like a bomb-shell upon the State, that occasioned one of the toughest and most dramatic public battles of his career, and that gave a startled State a pretty fair example of the extraordinary mettle of this untried and youthful country Governor.

Before Governor Brown's inauguration and during Governor Johnson's incumbency the banks had suspended specie payment. Gov. Johnson in his message stated that "in the midst of prosperity and remunerating prices for the products of agriculture our banks have generally suspended specie payments, resulting in panic, broken confidence and general stagnation in commerce."

He stated further that he had taken no action, as the banks claimed

to have acted in self-defense against heavy drafts on their coin from the North, and he thought it prudent to submit the matter to the Legislature soon to assemble, and he left it to them whether they would legalize the suspension; and he cautiously intimated that perhaps it would be better to do so, first, however, instituting rigid inquiry to ascertain the sound banks. At this time the banks of Georgia had $12,040,000 of capital with $5,663,000 circulation, and were in a fine condition. Enthroned in the cities, representing the available money of the State, animated by the shrewd and cultured financial intelligence and wisdom of the successful capitalist, these banks constituted a formidable power, and any interference with them was a tremendous responsibility. Gov. Johnson, always a cautious man, handled the vast subject tenderly, and finally threw the grave responsibility on the Legislature.

Estimating the question properly, its magnitude and consequences, some conception may be formed of how the placid young, rustic Governor stirred the State by announcing in his provincial accents, that in their unimpassioned utterance gave no indication of the grim nerve and intelligent purpose that lay behind them, that in his judgment the suspension was unnecessary, and he should at once begin proceedings under the law to forfeit their charters. At first men thought it was a meaningless menace, uttered in ignorance of the subject, and even if intended, the colossal influence of the banks and their friends could bring such pressure as would turn the inexperienced executive right. But it was no hap-hazard announcement. And circumstances proved the country Governor to be the least malleable of metal, and rock-firm against any pressure. The excitement soon created, upon the realization that the Governor was in earnest, was overwhelming. Capital is easy to be terror-stricken. It is the most tremulously impressible of all the mighty powers of the world. And this potential mass of twelve millions of solid Bank capital of Georgia became alarmed and aroused to frenzy. And it focalized its thunder upon the country Governor, who met the storm, the combative commencement of his eventful administration, as cool and game and eager as a gladiator.

Before giving this remarkable Battle of the Banks, it is necessary to present some idea of the General Assembly that Gov Brown had to deal with. The Legislature of 1857 and 1858 was a very strong one, especially in its Bank representatives. It consisted of 154 Representatives and 115 Senators. The Senatorial representation had been changed since Governor Brown was Senator in 1849 and 1850, when there were forty-seven Senators to a system that gave a Senator to each county.

HON. JOHN E. WARD, Ex-U. S. Minister to China.

The joint assembly consisted of 269 members, a very large body. In its men the legislature was strong. John W H. Underwood of Rome was Speaker of the House, and John E. Ward of Savannah, President of the Senate, both brilliantly able men. Mr. Ward was one of the most sparkling of our public leaders, a fluent, graceful speaker, a logical thinker, capable of effective effort though an indolent man, of inimitable tact, delightful manners and sweet temper, a charming companion, generous, hospitable, genial, and withal, shrewd, able, practical and ambitious. Mr. Ward was a born leader of men, and led wherever he went. He was strikingly handsome, and a magnificent type of the courtly Southern gentleman. He was president of the National Democratic convention that nominated Buchanan, and was United States minister to China at the beginning of the war, and conducted the difficult diplomatic relations with that country connected with our Chinese troubles of those days. He had capacities for anything, and was one of our most promising Southern men at the commencement of the war. He was a rare advocate, in the lead of his profession of the law, ranking among the foremost in the able and brilliant bar of Savannah. He opposed secession; he had no confidence in the success of the South in the war; he was very quiet during the war, and after the surrender moved to New York to practice law, thus removing from the most flattering prospects of public distinction at the hands of his native state. It was a cruel sacrifice of rare political promise. Mr. Ward had made several fortunes at the bar, but spent them in his lavish hospitality. He was the leader of the Bank men in the legislature, and a consummate one.

In illustration of Mr. Ward's wonderful tact, it may be said that he did more to break down the powerful sectional prejudice that a long time existed among the up-country Georgians against the people of the sea-coast, and especially against the citizens of Savannah, whom they regarded as "stuck up," to use a homely phrase of those days. There was a sort of aristocratic assumacy, or the people of Upper Georgia so thought in the low country folk, that rendered them very unpopular, and raised constant antagonism. It was perilous to any measure in the General Assembly to originate from a Savannah man. The extent of this feeling cannot be conceived now when it has entirely disappeared. Mr. Ward, with his wonted sagacity, struck it down by a course of kindness and conciliation, and he gained a wonderful hold upon the up-country members.

Col. Underwood, the Speaker of the House, was a very bright young

man, who has since been a Congressman and a Judge of the Superior Court. His father was a noted wag, who is said to have given his son John a letter of recommendation sealed, which the young man took the precaution to read before delivery, and which, to his dismay, stated that "My son John is introduced by this letter as having the largest aspirations and smallest qualifications of any young man I know." The letter, tradition says, was not delivered. In spite of the waggish father's badinage young Underwood possessed both large aspirations and very considerable qualifications. A racy talker, a fluent, effective speaker and a good lawyer, with a portly, fine presence and manner, he would have made a far more commanding figure in Georgia politics, even, than he has with the possession of a greater quota of stability. Among the more notable men of the House were Augustus H. Kenan of Milledgeville, Thomas Hardeman of Bibb county, H. J. Sprayberry of Catoosa county, George A. Gordon of Savannah, R. L. McWhorter and M. W Lewis of Greene, D. W Lewis of Hancock, I. L. Fannin of Morgan, Wm. Luffman of Murray, Wm. A. Reid of Putnam, John Milledge of Augusta, B. H. Bigham of Troup, George Hillyer of Walton. In the Senate were L. H. Briscoe of Milledgeville, Peter Cone of Bullock, Hugh Buchanan of Coweta, Jared I. Whitaker of Atlanta, Joel A. Billups of Morgan, Randolph Spalding of McIntosh, James Edmondson of Murray, Permetus Reynolds of Newton, William Gibson of Richmond, T. L. Guerry of Randolph, Wm. W Paine of Telfair, A. G. Fambro of Upson, and W. A. Harris of Worth.

Col. George A. Gordon, of Savannah, was chairman of the House Committee on Banking, an ambitious, talented young lawyer, who became a colonel of infantry in the war, moved to Alabama and died there after the surrender. Augustus H. Kenan was a stately, imperious gentleman, a despotic power in middle Georgia local politics. Thomas Hardeman of Macon went to Congress, served brilliantly in the war, has been a prominent candidate for Governor, has served repeatedly as Speaker of the House of Representatives and President of Democratic State Conventions, and is one of the most popular and eloquent public men in Georgia. H. J. Sprayberry of Catoosa county was a character; a grotesque, keen-witted, rough backwoods lawyer, with a homely, homespun way of talking to rural juries that was wonderfully successful. He died several years ago. Dave Lewis of Hancock, as he was called, was quite a power in those days, a capital speaker. He is now president of the Dahlanego college. A bright youngster full of talent was George Hillyer of Walton, barely out of his teens, who made an

entranee into polities and gave high promise of usefulness. He wisely after this retired from polities as an unprofitable business for young men, moved to Atlanta after the war, was State Senator, is now a Judge of the Superior Court and growing in fame and fortune. M. W Lewis of Greene eounty, was a lawyer of much influence, was nominated for the present State Senate and died shortly after. R. L. McWhorter has been a power in Greene eounty, controlling it politically like a loeal king. During the stormy days of reeonstruction he was a member of the Georgia Republiean party, and one of the ablest, boldest and shrewdest of its leaders. He was Speaker of the House. He is a large, powerful man of uneommon eapaeity for political management. He is a member of the Senate in the present General Assembly, and will be a foree in politics while he lives.

Old Peter Cone of Bullock eounty was another eounty king, an odd, blunt, eomieal old fellow, who in spite of his oddities had the respeet of everybody for his honesty and good sense. He is dead. Hugh Buchanan of Coweta was one of the most prominent men of that Senate—a man of sterling eharaeter and fine ability He has been judge of the Superior Court and recently elected to Congress in the Fourth Distriet. Of the men who were strong in those days perhaps none has had sueh marked vicissitudes of fortune as Jared Irwin Whitaker of Atlanta. Wealthy and influential, the proprietor of one of the leading papers, the Atlanta *Intelligencer*, representing his eounty in legislatures or eonventions whenever he wished, member of the State Democratie Executive committee and State Commissary General during the whole war, handling millions, he was a reeognized politieal power in the State. Losing his fortune, then his influenee, illy fitted to be a poor man, taking to drink, falling lower and lower, drifting down socially and peeuniarily, he is to-day to those who knew him in his better days a sad speetaele, seedy, impeeunious and pitiful. Col. J. A. Billups of Morgan eounty, was a strong man in the Senate of 1857, and is to-day a gentleman of high eharaeter and standing. Randolph Spalding of MeIntosh, James Edmondson of Murray, and Permetus Reynolds of Newton are dead. Spalding was a good liver, luxurious, aristoeratic, but a rare fellow; Edmondson and Reynolds were both men of note. William Gibson of Augusta was a very able man, a gallant eolonel in the Confederacy, and a Judge of high repute sinee the war. He is still living. T. L. Guerry of Randolph was a strong spirit in that legislature, and had large promise of political promotion, but since the war seems to have retired into quiet privaey. W W Paine of Telfair, a praetical

useful member is now living in Savannah. He has been to Congress and to the legislature since the war. W A. Harris of Worth, bluff hearty Bill Harris as he is known, will always be a strong influence in politics while he lives. A positive, one-sided man, a true friend and an implacable enemy, fighting open handed for or against men or measures, he has been delegate to state conventions, State Senator, and repeatedly Secretary of the Senate, and is prominently spoken of for Congress from his district. John Milledge of Richmond was a notable man in that day, of ancient and honored blood, his father having been Governor of Georgia from 1802 to 1806. He was a stout blondish person of most genial manners and address, a gentleman of the old school. He died a few years ago, leaving a bright son to wear the distinguished name, who is a prominent young lawyer of Atlanta.

The legislature of 1857–8, was a strong body, made up of men of mark and it did important legislation. It was a fitting legislative accompaniment to the new Governor. A body of ability and decision, it was a worthy opponent for the combative young Executive. This general assembly re-elected Hon. Robert Toombs to the United States Senate, and put Joseph Henry Lumpkin on the Supreme Bench. These were two notable men, who will live long in the memory of Georgians. Lumpkin was the most genial hearted public man we have ever had in the state, and the most liberal in his culture. To the sweetest nature he added an exquisite learning. To the most gracious benevolence he supplemented intellect of the highest order. He was a beautiful old man, with such grace and dignity as rarely falls to men. He wore his hair long, which set off his gentle, handsome, intelligent face, and well proportioned figure. He was well grounded in the rigid principles of the law, and yet he broadened their application with a magnificent erudition. His mind was buoyant with vital force, and was strengthened and ornamented by great learning and a robust, healthy imagination. He loved young men, and his kind words have cheered many a struggling young spirit.

Robert Toombs was one of the princely-brained men of the Union, the kingliest character the commonwealth has gloried in, the man of all the most affluent in personal gifts. Gov. Brown states that he first met him in Milledgeville in 1849, when he was State senator and Toombs was a Whig congressman, idolized by his party, and with a national fame for eloquence. Toombs, he said, was the "handsomest man he ever saw. His physique was superb, his grand head fit for a crown, his presence that of a king, overflowing with vitality, his majestic face illumined with his divine genius." Toombs was about forty years of age,

Respectfully
Yr. obt. Servt.
J. H. Lumpkin

and in the very prime of his magnificent manhood. He had a figure like an Antinous, the very perfection of manly symmetry, and an imperial grace of carriage that sat upon him well. His face was noble and superbly handsome, with great luminous dark eyes full of flashing soul, every feature perfect, a royal forehead, a matchless dome of thought that gained in power, through the rich glossy black hair that hung about it straying carelessly over its marble front, suggesting rather than revealing its extent. His skin was clear with health. He talked constantly, his mobile countenance lit with an irradiating smile, or intense with some dominating and fiery impulse. His conversation was a torrent of striking thoughts, strikingly expressed. His vivacity never flagged. The man's mind and spirit were absolutely perennial. He never seemed to have a moment of mental or physical weariness. He scattered humor, wit, wisdom, with a limitless prodigality. He started in life munificently equipped in fortune and education. His father was rich, and he had every advantage. He succeeded right away at his profession, making, it is said, $50,000 in five years, achieving success easily. It is rare that men so brilliant and impulsive as Toombs have the faculty of business. His pecuniary sagacity has been a marvel like his other gifts. No man has been a more careful manager of money, making it wisely, spending it in a princely way, yet handling it carefully and prudently. He bought immense tracts of Texan land, of which he has a hundred thousand dollars profit, and has enough to realize a quarter of a million more. In politics he was as swiftly successful as at the law. He went to the Legislature, then to Congress, and then to the Senate, grasping these honors by a sort of easy, natural right. He was lordly, grand, irresistible. Nothing could daunt, nothing vanquish him. Toombs had genius, and men recognized it. He was like an inspired man in his speeches. He reveled in public life and intellectual conflict. No man ever tripped him in debate. He was as ready and deadly as lightning. A rival on the stump threw up to him a very unpopular vote he had made in the Legislature. "Yes," thundered the quick-witted and audacious Toombs, "it was a d—d bad vote! What have you got to say of it!" And the storm of cheers from the crowd told how well he had baffled a wound. In a period of crazy contention, and when the public pulse was perilously inflamed, the opposition at a public meeting resolved he should not speak. Weapons flashed in the sunlight. Blazing with indomitable fire, declaring they might kill, but they should hear him, the man awed down the infuriate mob and forced a listening to his bold words.

General Toombs was born for a revolutionary era. No other man did as much to precipitate the war as he did. Notwithstanding he came of a blood that had the hereditary instinct of loyalty to the crown, he has shown a wild tendency all of his tumultuous life to rebellion. He began it at college; he continued his destructive instinct upon the Union; he was a defiant officer in the army; he split from the Confederate authorities in fierce altercation; and since the surrender he has gloried in being the single untamed and unappeasable rebel against Federal rule. Believing as the writer does, that in the mighty scheme of human progress a Providential power fashions the order of things, and that great events like our colossal civil war, long preparing and long continuing, and long lasting in great result, are part of the divine plan of philosophical advancement, it is but a second step of belief to note that human agencies suitable to such crises are furnished by the same overruling intelligence that framed the gigantic evolution of history Slavery was a wrong for which the South was not responsible. Its extinction was inevitable. And some such convulsion had to tear it up from its terribly strong rooting. We of the South, had become blunted by hereditary training and education of centuries to the proper human repulsion at the awful fact of property in human souls. A striking example of the natural sentiment of humanity upon this, occurred in the writer's family a short while ago. A little daughter of eight years of age in her reading came across the word "slave" and asked its definition. Her look of horror, as she understood it, was a revelation alike, that a thing that inspires such a feeling in the impartial instincts of a pure nature must be appallingly wrong, and that the public condemnation of the non-slaveholding world would never cease to wage war upon the wrong until it was extirpated from christian civilization.

Toombs was one of the Providential agencies of this inevitable revolution, the creature of what was so happily called the "irrepressible conflict" between freedom and slavery, and its resultant emancipation. He was a superb type of the Southerner, the "corner stone" of whose social and political system was slavery. He was careless, imperial, defiant, audacious, volcanic. Toombs represented alike a kingly race of men devoted to their institutions, and the grand principle of chartered rights. He was aggressive, denunciatory, taunting. He struck for disunion, believing that safety lay alone in the severance, and the bond would make unceasing strife. Looking at the situation as pregnant with an inevitable issue of attempted separation, and the cure by a storm of an evil, Toombs was the man for the work. He inspirited the South and he

angered the North. The South was not responsible for slavery, and had for it the sacred guarantee of the Constitution. The North had put slavery upon us and was under bond to protect it. The South had legal rights in a great wrong. The North *could* only do its duty to civilization by breaking its obligations. To stimulate the South to defend its rights, to incense the North in its aggression upon the evil of the Union that was its reproach in the eyes of the world, was the work that Toombs and his compeers well performed. It was a conflict between legally fortified wrong and unconstitutional and high-handed right. And Providence gave the victory to civilization against the forms of law, heroic devotion to a beloved duty and as grand a chivalry as the world ever knew. Toombs was the genius of the revolution, and will so live in history.

CHAPTER VIII.

THE FIERY BATTLE OF THE BANKS.

Brown and Toombs—Howell Cobb, Alexander Stephens, Pen Pictures.—The young country Governor defies the capital and its leaders.—The Tremendous Pressure.—Brown single-handed—Bank Suspension legalized.—Brown's hard-hitting Veto.—A striking instance of Nerve.—The white-heated Excitement.—The great Speech of Mr. Ward, President of the Senate.—The Veto overwhelmed.—Doggerel of the Day.—"Balanced to a Quarter of a Cent."—The Issue remitted to the People.—A hot Campaign of Ridicule, Abuse and Passion.—"Who is Brown?"—"A d——n fool."—Brown Solidly Endorsed.—An Irresistible Torrent of Public Approval for Brown.—A Universal Victory over the colossal Moneyed Power for the new rock-willed "People's Governor."

GOVERNOR BROWN and Gen. Toombs have been dramatically connected through this long period of Georgia history that constitutes the theme of this work. The election that put Brown in the Executive chair, placed Toombs again in the Senate of the United States. During the war, Toombs stood by Brown in his controversies with the Confederate authorities. After the surrender, they were in a deadly antagonism, which nearly resulted in a duel. And in this progressive era of the state and nation, in 1881, they represent antipodal ideas and conflicting public theories.

In 1857, of which time we write, there were two others of Georgia's gifted sons that wielded a large national influence. Howell Cobb was Secretary of the Treasury in the cabinet of President Buchanan, and thus had the ear of that official in all of the Presidential policy of those distracting and momentous public events that so soon were to culminate so dramatically. Cobb was an ardent Union man, while intensely Southern. He was a wise, conservative man, and firm. If any one could have used official opportunity in administrative position to keep a harmonious Union, he was the one. He had carried the state triumphantly on the Union issue, against extreme Southern Rights, in 1851. He was powerful at home, and honored beyond. He had uncommon statesmanship and extraordinary personal tact. But the drift of events was beyond the power of men to control. A higher power was at work in its own mysterious ways. The revolution was pending, and its genius was the destructive Toombs, and not the conservative Cobb.

Another vital personality was that remarkable man, Alexander H. Stephens. He too was a Union man. It is hard to write about Alec Stephens. He has been all of his life a human miracle. His advent into public life nearly half a century ago was, and his career ever since has continued to be, a wonder. Antithesis has been exhausted in describing the man, and yet there is no adequate portraiture of him. For forty years and more Mr. Stephens has held a foremost place in the affairs of the state and nation, and his name and speeches, overleaping the bounds of the continent, reached the old world, rendering him famous and illustrating Georgia. His purity of life, public spirit, stainless integrity, devotion to principle, love of truth, simplicity of character, munificent charity, lofty patriotism, independence of popular prejudice, sincerity of conviction, indomitable courage, magnetic eloquence and vigorous statesmanship have all been continuously displayed in his long, useful and brilliant public career, and form a noble example for the imitation of our ambitious young men.

That a mind so powerful and a spirit so knightly should inhabit a body so diseased and frail, has been the miracle of his conspicuous life. At any time during his laborious and honored existence, his death could not have surprised. Yet his physical frailty never impaired his public usefulness. Nearly seventy years of age, he is still at his post of duty, filling, in his own unequaled way, the place in which he has won his proudest triumphs and most lasting fame—a Congressman from Georgia, a representative of the people and chosen by the people—Georgia's great Commoner. The people that he has loved so well, and the state that he has so faithfully served and resplendently illustrated, delight to honor him and hold his solid fame as one of her most precious heritages.

Mr. Stephens, too, was one of the strong union men, and to the very last his potential voice was heard eloquently protesting and unanswerably arguing against secession. Mr. Stephens has been a statesman and an orator, but the quality that more than all others has tended to give him his vast public influence has been his wonderful moral intrepidity. It is a rare quality, heaven-born and God-like,—such moral courage as he has shown all of his life long. No adverse public opinion has had any terrors for this fearless statesman. Majorities have been utterly powerless to sway him. No unpopularity, no prejudice, no popular frenzy has ever moved his firm soul one hair's-breadth from any conviction or prevented any utterance he deemed the truth. This is remarkable praise, but it is due to the man. But even the miraculous

Stephens was unable to stem the revolution. The storm was coming, and Toombs was its genius.

Recurring to the battle of the Banks, from which digression has been made to fill out the personal features of this important period of Georgia history, there probably has never been witnessed a more stubborn and heated contest in legislative walls than was fought in the Georgia Legislature of 1857, over the bank question. It was soon found that Governor Brown was in deadly earnest in the resolve to hold the banks to their full legal responsibility. The lobbies were thronged with bank men and their friends. The cool young country Governor met the issue unquailingly. Every argument and influence was brought to bear upon him, but vainly. It was a crucial test of his nerve. Even a very brave and firm man would have wavered. It was boldly claimed that he would ruin the state and shock irreparably the public weal in thus warring upon the banking capital of the commonwealth. Neither appeal nor menace moved him from his position. It was a fearful responsibility that he assumed, but he never shrank from it. It involved, too, an appeal to the people, and public condemnation if he failed in the contest. It portended a no-quarter fight with capital and leadership and commercial power. He defied them all. He had announced his purpose in his ringing inaugural to hold the banks to the law, and he stuck to his purpose. A bill was introduced, and after infinite and elaborate discussion, passed, suspending forfeiture proceedings against the suspended banks for one year. The act went to the Governor. Few believed that he would dare to veto the act. The vote in the House was 68 yeas and 33 nays ; in the Senate 58 yeas and 27 nays. The excitement was very great. While it was true that the bill had passed both houses by a two-thirds majority, which, if it could be held, would render an Executive veto a nullity, yet in the heated temper of the Assembly and the changing influences of the time, there was no telling what might happen. A change of two or three votes would alter the result. It was represented to Governor Brown that he had made a fair, brave fight, and after a full discussion the legislature had given a two-thirds majority, and he could well rest the matter there. These importunities fell like water upon a rock. The placid and rural Executive was in no terror of majorities, and then, as later, failed to learn the lesson of yielding his convictions to any pressure. He gently waved aside these advisers, and smilingly ignored counsel that he did not want, and shutting himself up in his quiet, he fulminated one of the boldest state papers he ever wrote, in sharp and unqualified veto of

the act. Reading that veto message in the light of all of the surroundings, and testing it by cool criticism, lifted above the heat of the struggle, it is a very remarkable document. Gov. Brown, it must be remembered, was bred up far from commercial influences and habits. He had little practical experience of banks. He had known little of capitalists and had few dealings with capital. His views were not the cultivated experiences of the commercial world, but they were the instinctive notions of an uncommonly sharp mind, entirely unprejudiced, and looking at the matter with a keen vision of the equities of the great subject, and seeking abstract justice at any cost. The views of his message clad in this light, are remarkable. He never wrote a more sinewy, even-handed and abstractly logical paper, while his personal attitude was romantic in the extreme, and eminently characteristic of his self-reliance and intrepidity. Take a youthful countryman, unused to the dazzle of such high station, with its bewildering accompaniments, and put him in Gov. Brown's place in this matter, subject to the pressure of every powerful influence of social splendor and worldly prestige, and his firmness in pursuing his convictions to their conclusion, unbacked as he was by any support whatever, and perplexed by the gravity of result that hung upon his action, was a striking exhibition of personal firmness and official duty It illustrated the man perfectly. It demonstrated his superlative fiber. It stamped his exalted power of leadership indisputably He might be wrong, and doubtless in a calm review of his views then uttered so incisively, made now in the light of a quarter of a century of unusual practical experience, he would recall much that he said then. But the fact still stands out saliently that his attitude was one of grand courage, and put him at one bound as an established force in the state. His veto was a brave appeal to the august tribunal of public opinion, against one of the ablest legislative bodies Georgia has ever had, and he struck the popular judgment with masterly power and a keen discrimination. There is in the message, too, a plain, direct, ungloved style of speech that was far removed from the diplomatic politeness of the accustomed state papers. The veto indulged in no regrets or Pickwickian expressions, but it handled the vital matters touched upon with simple practicality, and gave facts and views in unmincing words.

The veto was a lengthy and elaborate one, discussing the subject fully. It began by contrasting the money privileges of banks and those allowed individuals. The citizen could only loan money, dollar for dollar, at seven per cent. The bank could issue three dollars for one and

use all four, realizing from thirty to fifty per cent. The privilege was unreasonable, and he branded banking as a "legalized system of speculation, oppression and wrong." After using their unlimited privileges to amass fortunes, the banks in a pressure suspend, close doors, lock up specie, let their bills depreciate, buy them up at a discount, make further distress, and then when the storm is over, step out with increased wealth amid general disaster. It was not right. The banks could pay specie by buying it at a small premium with their large earnings. Why did they not resume. Because it was to their interest not to do so. They made money out of the suspension. Warming up, the plain-spoken Governor said that the banks that had suspended, and so continued were guilty of a "high commercial, moral and legal crime," depreciating the value of property, causing pecuniary depression, injuring the public credit, and violating the law of the state. Private citizens had to meet their obligations. Banks should do so. The citizen could not suspend. The banks should not.

Since the establishment of the Banking system in Georgia, several periods of distress had occurred, in which the banks made money, while the people bore the loss. The banks claimed to be obliged to suspend, but it was because of their speculations. The merchant that overtrades, gets no sympathy when trouble overtakes him. The banks suspended as a speculation. In 1840 there was a financial crisis, when the bad conduct of the banks caused the passage of the very law of forfeiture for suspension that was sought to be set aside now. The banks were wealthy and powerful, and illustrated the growing power of corporations. Who doubts that they could, by a little sacrifice, have avoided suspension at the present, have bought gold and redeemed their promises. Instead of doing this they set the law at defiance, relying upon their power. They demand legalization of the wrong, threatening injury to the public interest unless it is done. The issue was boldly tendered. In his opinion the richest corporation should be compelled to obey the law like the humblest citizen. He was resolved to know no man or association of men, and that all should bow to the authority of the law without regard to wealth, power or influence.

He alluded to the fact that numbers of banks in other states, and four or five in Georgia had not been obliged to suspend. He answered the point that our specie would be drawn out from the North by saying that too few of our bills were held North to injure us in this way. The further point was made that our banks had suspended in response to the suggestion of public meetings. His sharp reply was that bank men

could easily get up such meetings. The people generally did not want suspension. Their hundred dollars fell to ninety in value by suspension. Every point ingeniously made for suspension he as ingeniously met in his sledge-hammer way, running through the whole paper an adroit comparison of the advantages the banks had over the citizen. He struck hard. His last point was that there was a contract between the banks and the people to redeem their bills in specie on *demand* or *presentation*, and this had been violated. The law legalizing suspension was a law impairing the obligation of contract, and therefore unconstitutional. He wound up this caustic and aggressive message with these words :

"I feel it to be my duty I owe the people of Georgia, to do all in my power to avert the evils which would follow the passage of an act legalizing the suspension of the banks. All solvent banks will doubtless soon resume specie payment. I shall do all which the law makes it my duty to do, to have the charters of such as do not resume forfeited, and their assets placed in the hands of receivers, and converted into money and paid to their creditors as soon as possible. No serious inconvenience will follow, as it is believed most of them are solvent, and will resume. Those which are not solvent will be wound up, and the sooner the better for the people."

The reading of the message created an intense feeling in both branches of the General Assembly. Mr. Ward, the President of the Senate was the bank leader in that body. The veto made a keen sense of alarm among the bank men. It was known that it was coming. Mr. Ward was selected to reply to it. He sat up all night preparing a speech. The message made a sensation. Its exhaustive, common sense discussion of the subject, and its determined views, fell upon the body, engendering dismay Mr. Hill of Harris moved to take up the message and read it. After the reading Mr. Spalding moved to take up the vetoed bill. The yeas and nays were called on this motion, and resulted in sixty-one yeas and twenty-one nays. This was an ominous vote for the anti-bank men, being a loss of six votes from the twenty-seven that voted on its passage against it. Mr. Young of the negative voters then moved to adjourn, fighting for time. Upon this the yeas and nays were called, yeas nineteen, nays fifty-nine. This was a still farther loss on the anti-bank side. Mr. Ward had come from the President's seat and he took the floor. He made a speech of great power and eloquence, an adroit, persuasive, subtle speech, by long odds the best of the session on any subject. With wonderful effect he sought to put the Governor in a position of hostility to the cities, and then proceeded to defend the cities, blending a careful indignation with a judicious pathos. His eulogy upon the banks and his picture of the bad results of interference

with them, were drawn with eloquent vividness. Every utterance of this admirable speech was conciliatory and plausible. It was a model of elocution and at the same time the very perfection of argument and appeal. It made Mr. Ward great reputation in the state. He closed his speech by moving the passage of the vetoed bill and upon that motion called the "previous question" to cut off reply. The vote stood on this fifty-six yeas and twenty-four nays, a small gain for the anti-bank men. The vote upon the passage of the bill was then taken and stood sixty-one yeas to twenty-two nays, a loss of five votes from the nays on its original passage—a loss due to Mr. Ward's powerful speech. In the House the vote stood the same as on its first passage, showing no change.

A classification of the voting made a month afterwards in the heated discussion the matter continued to evoke, showed that in the House, where the vote stood sixty-eight yeas to thirty-four nays, forty-eight members voted "yea" both times and twenty-nine "nay" both times; that thirteen members voted nay first and yea afterwards; that two voted yea first and then nay; that fourteen voted yea at first and did not vote afterwards; that eight voted nay first and did not vote afterwards; and that one voted against and three for the bill on its second passage who did not vote first. And forty-four members did not vote at all on the perilous question. On the last ballot sixty, or more than a third of the House, dodged a vote.

The following piece of doggerel took the public attention at the time, and had a wide circulation:

A LEGISLATIVE LAY.

BY BILL VETO BANKS, ESQ.

On a night before Christmas when all through the "house"
Not a member was stirring, not even a mouse;
The Sec'taries stood at the Desk in great awe,
As if 'twas the Devil himself that they saw.
The members all nestled down close in their chairs;
Their hearts alternating with hopes and with fears;
When up from the Senate arose such a clatter,
The Speaker sent "Jess" to report on the matter.
Away to the Senate he flew with a chill—
He heard that the Senate had passed the Bank bill.
Then T—e came in, and the House got so still,—
His hair stood erect like the porcupine's quill.
He read what the Senate had done, in the aisle,
Then bowed himself out with *such* a sweet smile!

I knew by the walk, 'twas the "Cherokee brave,"
The Divil may take me, if he could *desave!*
But the fun was not yet over, not by a half,
Which I'll tell you directly, provided you laugh.
"As leaves that before the wild hurricane fly,"
Swept clear thro' the House, Bill Vetos' wild cry.
Confusion at once seized the House with a vim,
And the shout went around, "up Bankey, at *him!*"
Then the Secretary called the roll over with care,
While the friends of dear Bankey sank deep in despair;
For none in that House could certainly know,
The result which the ayes and the noes would soon show.
Not a breath of disturbance the quietness stirred,
Not a *hem*, nor a cough, nor an audible word,
The roll being called and the vote counted out,
The Speaker said, *passed*, then as if in doubt,
Said no, it was lost; and then in the *Mess*,
Some man changed his vote, and settled the fuss.
And then such a shout! Ye Gods and small fishes!
What rattling it made among Cunningham's dishes!
So Bankey whipped Veto—and winks at his foes,
And wiggles his thumb at the end of his nose;
He exclaimed as he left in the cars the next night,
Happy Christmas to all and Bill Veto good night!
But Bankey will find before he's much older,
The people will turn him a very cold shoulder,
Unless he behaves like honest men should,
And ceases to speak in the imperative mood.

But the matter was not ended. The legislative storm was but child's play to the public agitation. The young country Governor had awakened a popular tornado. Abuse and ridicule were heaped upon him. The use of the expression that the bank accounts "balanced to a quarter of a cent" was the theme of unlimited raillery over the alleged ignorance of the Governor, of Bank book-keeping. The bank champions had stated as a reason for legalizing the suspension, that the people owed the banks twenty-two millions, and the banks only owed the people five millions. In response to this argument the Governor said in his message that the sworn returns of the banks made to the Executive Department showed that the assets and liabilities of the banks "balanced to a quarter of a cent," a proper phrase to render the antithesis striking.

The bank question became a veritable sensation. The agitation was warm enough in the legislature. It grew hotter with its transfer to the tribunal of the entire state. The Milledgeville Federal Union at first

was the Governor's only newspaper advocate. The Augusta *Chronicle* and the Savannah *Republican* were the two champions of the bank side of the question. One after another the state press took sides with the Governor. The papers were full of it. And the discussion was bitter. The Augusta *Chronicle* thus fulminated :

"Never have we witnessed in all our experience such a display of stupidity, ignorance, and low groveling demagogism as Gov. Brown has made in his veto message. It is throughout the low and miserable effort of a most contemptible demagogue, to array the prejudices of the poor against the rich. * * *

"In conclusion we cannot but congratulate the Democracy on their triumphant success in finding out thus early, '*Who is Brown?*' This was a question which excited no little solicitude in the outset of the late Gubernatorial canvass, and the faithful in this region were very much exercised to ascertain its true solution. Now when asked, '*Who is Brown?*' they unhesitatingly respond, '*a d—d fool?*'"

The Savannah *Republican* was no less savage. Said this paper:

"The friends of the Governor should hang their heads with mortification and shame, while the author himself should forthwith be subjected to the surgical operation recommended by Benton to Cass, viz, to be '*cut for the simples.*'"

But to the supreme astonishment of the Bank men, the people of the state rallied to the Governor in almost solid array. Public meetings were held on the subject, and the Governor endorsed by strong resolutions. A meeting for instance, in Carroll county presided over by W W Merrell, passed unanimously resolutions denouncing the suspension act as "unwise and lawless legislation." In Wilkinson county Dr. R. J. Cochran offered a resolution that was passed without a dissenting voice declaring the Governor's veto "elaborate, full, clear and unanswerable;" and a resolution was also passed unqualifiedly condemning Hon. John E. Ward for calling the previous question, and depriving the anti-bank men of a chance to reply to him. Whitfield county had a rousing meeting and passed a strong set of resolutions reported by a committee composed of W H. Stansel, C. B. Wellborn, Wm. J. Underwood, Dr. B. B. Brown and Rev. John M. Richardson. These resolutions commended the "Jacksonian firmness" of Gov. Brown. Even Bibb county endorsed the Governor. In Monroe county resolutions were passed demanding that the state Constitution be altered so as to prevent the passage of laws legalizing bank suspensions. A meeting at Culloden presided over by W Rutherford declared that Gov. Brown deserved the more credit because he did his duty in the very teeth of his own party A Pickens county meeting denounced the papers abusing Gov. Brown as "hireling bank organs." A Campbell county meeting resolved that Gov. Brown was "under all circumstances the friend of the people when

their rights are threatened." Wesley Camp was chairman of this meeting. A Cherokee county meeting declared its pride in Gov. Brown as a Cherokee citizen. Clinch county went ahead of all in declaring that the members who supported the suspension bill after hearing the Governor's veto were not deserving support a second time by their constituency.

These public expressions of opinion taken at random from the action of meetings in all parts of the state will give some idea of the emphatic unanimity of endorsement that Gov. Brown received from the people. It is not ascertainable that a single public meeting sided with the banks and condemned the Governor. In spite of the colossal moneyed power of the Banks the Executive single handed carried popular sentiment overwhelmingly. It constitutes a remarkable victory, and it put Gov. Brown, at the very inception of his career, solidly entrenched in the hearts of the masses as the friend of the people's rights, a position from which no effort was ever able to shake him until the fiery days of reconstruction, but which he has regained since then in the most marvelous manner.

No man could ask after this the sneering question, "Who is Joe Brown?" He had answered the query himself in no uncertain language. He had shot himself like a cannon ball into the very heart of the state. In every hamlet the people knew him as a man of brain, rock-willed, and the people's friend. He became as exaltedly elevated in public esteem as he had been unexpectedly thrown into high office from obscurity. He demonstrated the fact that his promotion "was the inevitable outcome of his young life—disciplined so marvelously, so full of thought, sagacity and judgment."

CHAPTER IX.

THE WAY GOV BROWN GASHED INTO OLD CUSTOMS.

The Abolition of Levees.—No Wine at His Table.—Interference by the Legislature with Pardons boldly Tackled.—The case of John Black.—Old time Ideas of Marriage.—State Aid.—Salaries Increased.—Peterson Thweatt.—The State Road, and a Vigorous Policy.—The Coiucidence of Gov. Browu aud the State Road.—The Southern Commercial Conveution.—A summary of Georgia's Leaders, Mark A. Cooper, A. H. Chappell, William Dougherty, Junius Wingfield.—The Philosophy of Southern Conveutions.—Powerful Instrumeutalities of Sectional Division.—Legacies for the Impending Revolution.

THE installation of Joseph E. Brown as Governor of Georgia was truly an establishment of an era of change. The very social features of the executive administration were sweepingly altered by this simple-mannered and resolute young countryman. It seemed as if no institution that he deemed to need correction was sacred against his determined hand. And there was no fuss in his reforms. He quietly uprooted long-established customs in a way that evoked the horror of the reverential worshipers of venerable follies. It had been the custom for governors to begin their terms with a huge popular LEVEE, when the dear people were allowed to come uninvited in masses. Magnificent supper was provided at tremendous cost. It was a festivity of mash and gluttony and plunder. Crates of crockery were broken. The plebeians came in swarms as their one social opportunity to mingle in high life, and they gorged their stomachs and stored their pockets with delicacies. One who has never witnessed one of these hideous levees cannot conceive of their character. Floors were ruined, table ware lost, and toilets wrecked. It was jam and crush. It was becoming yearly worse, larger crowds, more disorder, increased destruction, and less regard for good manners. The rabble looked forward to, and improved it. The custom was old, and supposed to be the very symbol of our democratic principles. It was the practical incarnation of equality religiously cherished by the poor and the humble. Of all men, Gov. Brown, the representative of popular privileges, would have been supposed to guard such a custom. His practical intelligence, on the contrary, saw it was an occasion of license and rabble disorder, and not what it was meant to be, the tribute of all orderly citizens to a new Chief Magistrate. He swept it out of existence, declining to conform to the ancient precedent.

He instituted in its place a series of Friday night receptions, which proved very pleasant.

Another change he made that drew upon him much bantering comment, was abolishing wine from his festal board. He was a temperance man, and carried out his temperance principles practically. But the Governor quietly persisted in his plain temperance ways, and the people learned that ridicule or abuse were unable to move him.

He had several collisions with the General Assembly, in every case maintaining his views and asserting the prerogatives of his position in the straight-forward sort of way that was characteristic of the man. The Legislature passed a joint resolution requesting the Governor to pardon forthwith two female convicts. He vetoed the resolution promptly, and his message is a stinging rebuke. Adverting to the fact that no reason was given in the resolution for such clemency, and quoting the section of the constitution that gives the pardoning power to the Governor, he said that he understood that other resolutions of a similar character had been introduced, and gave his decision upon the matter in these incisive words:

"As a general rule, in my opinion, it would be better to leave all these cases where the courts and juries have left them. There are a few excepted cases, and for the purpose of finding them out, it is often necessary to investigate the evidence, and the circumstances of the trial. The constitution has assigned the duty of investigation to the Executive Department of the Government, without dividing the responsibility with the General Assembly, and as it would greatly lengthen the sessions, and consume much of the time of the Legislature, which could be as well employed in the consideration of such matters as the constitution has confided to that branch of the government, I would respectfully suggest that it might be better for each department of the government to be content to confine itself within the *sphere* of action assigned to it by the constitution."

This message put the Governor's views on the subject of the Legislature interfering with pardons in a pointed and unmistakable manner, but it did not settle the matter. The members were somewhat taken aback at the sharp terms the Executive used, but the practice of going to the Legislature when the Governor would not interfere in criminal cases had ripened into too fixed a precedent, and was too convenient to be readily abandoned. It was a pernicious practice and plainly illegal, yet it had been permitted. Gov. Brown was resolved to check and if possible stop it entirely. The Legislature clung to the custom. A man by the name of John Black had been convicted of murder and sentenced to be hung in Habersham. The Legislature passed an act commuting the death penalty to life imprisonment. The Governor

vetoed the bill in a lengthy message of remarkable ability. The Legislature in changing the penalty fixed by law to a crime committed in violation of the law, after the courts had finally passed upon the criminal, made an assumption of the functions of the Judicial by the Legislative branch of the government, and it was unconstitutional. To annul the judgment of the court and pronounce another judgment was a judicial and not a legislative function. The constitution forbids the exercise of the powers of one by the other. The Governor went into the question elaborately, quoting largely from the authorities to show that the legislative power to pardon in murder cases did not carry the power to commute. They either had to pardon entirely, or not at all. The message was closed with a reference to the facts of the case, and to the considerations of public policy involved. If the Legislature was allowed to commute as well as pardon, all murder cases would be brought before the body, and there would be no more punishments by death for the most flagrant murders. The bill was lost in the house after the Governor's veto by a vote of 27 yeas to 55 nays.

Among other vetoes that illustrate the Governor's views, was one of a bill allowing a number of married women to run business on their own account, on the ground of its destroying the unity of marriage. He clung to his old-fashioned ideas which he had so strenuously advocated and voted for in the Legislature of 1849 when he was a State Senator.

The subject of state aid to railroads was very fully discussed by this Legislature, but finally voted down. The state aid leaders were Mr. Speaker Underwood, D. W Lewis, Mr. Smith and Col. Hardeman. The anti-state aid leaders were Mr. Bigham, Col. A. H. Kenan, Mr. G. A. Gordon and Col. Jno. Milledge. At that time the aid of the state had already been pledged to the Main Trunk and Brunswick railroads to a million of dollars. The removal of the state penitentiary from Milledgeville to Stone Mountain was fully argued; but finally defeated after an able speech against it by Senator L. H. Briscoe, a very brilliant young fellow who had been a secretary of the executive department under Gov. Johnson. The new counties were created of Wilcox, White, Schley, Pierce, Mitchell, Milton, Glasscock and Dawson. The salaries of the following officers were increased: Governor from $3,000 to $4,000; Judges of Supreme Court, $2,500 to $3,500; Judges of Superior Court, $1,800 to $2,500. The practice of biennial sessions was also changed back to annual sessions, which had been the law before 1840, and the sessions were limited to 40 days, unless lengthened by a two-thirds vote of the Legislature.

The Legislature had elected as state house officers, J. B. Trippe, Treasurer; E. P Watkins, Secretary of State, and Peterson Thweatt as Comptroller General. Mr. Thweatt deserves special mention. Before his administration the reports of the comptroller had been very meager affairs. He instituted a system of statistical returns that have been invaluable. He improved the collection of taxes, very largely increasing the return of taxable property and the revenue of the state. His administration of his office was conspicuously able. He is a short, very stout little gentleman with some oddities of manner, such as vociferous whispering to his friends, and a wonderful faculty for hearty laughter; and he was sometimes very irascible, but withal a true-hearted and generous gentleman, and as capable and faithful a public officer as the state ever had. He was comptroller a long time, but was defeated after the war, and could never get his consent to do anything else. His soul was in his office, and he clung for years to the hope of return to it, but vainly. He had taken his salary during the war in Georgia war notes, which were repudiated, and he spent years getting the legislature to let him sue the state for his notes. Legislature after legislature refused him the privilege, but with indomitable persistence he kept on until he succeeded only to have his suit dismissed. Some of his annual addresses to the members were remarkable papers, exhausting the printer's fonts of quotation marks, italics and capitals; and indulging in such a labyrinthine net-work of parentheses as to make his documents rhetorical puzzles.

In his inaugural Gov. Brown devoted much attention to the state road. In 1856 it had paid into the state treasury $43,500. Necessarily large amounts had been used in equipping the road, but still the people grumbled that it was not a source of more revenue to the state. On the 1st of January, 1858, Governor Brown appointed John W Lewis, his faithful friend, as superintendent of the road, under an order remarkable for its concise comprehensiveness of reform and management. It directed cutting expenses, dismissing every supernumerary, reducing salaries the same as on other roads, requiring absolute subordination, discharging dissipated employés, using economy, demanding trip settlements from conductors and weekly settlements from depot agents, and paying every dollar of net earnings monthly into the treasury. Lewis faithfully carried out his instructions. During his administration Gov. Brown paid as high as $400,000 in a single year into the treasury. An amusing incident is related that soon after the appointment of Dr. Lewis as superintendent, he and Gov. Brown were

seen walking the track, picking up the iron spikes that were scattered and wasting along the line of road. The incident was circulated at the time in derision of the picayune economy of the new regime. Of course there was no truth in the story, except that the track hands were made to not only pick up the large quantity of loose spikes that had been left to rust along the line of the road, but all of the waste iron was gathered and advertised for sale, and brought the handsome sum of $20,000. The incident illustrates Governor Brown's watchfulness of the public interest, and to what an extent his vigilance ran to details. There was between six and seven hundred tons of this loose scrap iron thus collected and sold.

It forms a curious coincidence of Governor Brown's life that this state road which he managed so successfully for the state while he was Governor, and whose brilliant and profitable handling made so marked a feature of his gubernatorial administration, should have come under his control as president of a leasing company that rented it from the state. The road seems to have been destined to become an important factor in his career. He is to-day the president of the lease company, and the road is most ably managed. It is a strange fact that the road has never paid much to the state except under his management. As Governor he made it pay from three to four hundred thousand dollars a year. And its regular rental is now $300,000 a year.

One of those mammoth concerns that filled so large a share of Southern attention, but never seemed to have resulted in any practical benefit, a Southern Commercial Convention, assembled during this year in Montgomery, Alabama, on the second Monday in May. Gov. Brown appointed the following delegates which we give in full, as showing who were the leading men of the State at this time :

Delegates from the State at Large.—Wilson Lumpkin, George R. Gilmer, Wm. Schley, Geo. W Crawford, H. V. Johnson, H. Warner, Hines Holt, Thomas W Thomas, C. J. Jenkins, Wm. H. Stiles, Jas. Gardner, B. H. Hill, F. H. Cone, L. Stephens, E. A. Nisbet, M. A. Cooper, D. J. Bailey, A. H. Chappell, Joel Crawford.

First District.—A. H. Hansell, P. Cone, E. J. Blackshear, Charles Spalding, J. H. Cooper, F. S. Bartow, J. P Screven, G. P Harrison, Jno. W Anderson, A. R. Lamar.

Second District.—Wm. Dougherty, T. Lomax, J. N. Bethune, J. A. Jones, Jr., Jno. A. Tucker, R. H. Clarke, L. M. Felton, A. H. Colquitt, W A. Hawkins, W M. Brown.

Third District.—W Poe, O. A. Lochrane, W K. De Graffenried, P W Alexander, D. P Hill, C. Peeples, A. F Owen, Geo. R. Hunter, J. D. Watkins, A. R. Moore.

Fourth District.—E. Y Hill, L. H. Featherstone, A. J. Boggess, B. H. Overby, J. W Duncan, Robert J. Cowart, L. Q. Gartrell, W C. Daniel, Wm. A. Harris, H. Buchanan.

Fifth District.—Jno. H. Lumpkin, H. V M. Miller, S. Fouche, Jno. A. Jones, W T. Wofford, Lindsay Johnson, Joseph Pickett, G. J. Fain, C. B. Wellborn, Elisha Dyer.

Sixth District.—Sumner J. Smith, Robert McMillan, Asbury Hull, Wm. L. Mitchell, John Billups, Wm. A. Lewis, Jas. P. Simmons, Samuel Knox, W Boyd, S. Reid.

Seventh District.—Augustus Reese, George R. Jesup, P. Reynolds, Miller Grieve, Sr., S. N. Boughton, R. M. Orme, Sr., David W Lewis, J. W. Burney, Robert R. Slappey, Junius Wingfield.

Eighth District.—Isaiah T. Irwin, Jno. Milledge, Jas. T. Nisbet, W Gibson, Thomas Barrett, A. J. Lawson, A. R. Wright, E. H. Pottle, Robert Hester, Dr. W Willingham.

Of these gentlemen Wilson Lumpkin, George R. Gilmer, Wm. Schley, Geo. W Crawford and H. V. Johnson had been Governor of the state. Judge F. H. Cone was the founder of the Know-Nothing party in Georgia, a man of great power in his day, who had a desperate personal conflict with Alexander H. Stephens, in which he cut Mr. Stephens badly with a knife. Mark A. Cooper was a wealthy iron manufacturer, who was very prominent in Georgia politics. He was one of the famous trio of Colquitt, Cooper and Black that in 1840 revolutionized the politics of the state, and established the Democratic party in power. He was a leading candidate for Governor at one time. His large fortune was ruined by the war, and for many years he has been passing his old age in quiet retirement. A. H. Chappell was a noted man for many years, a distinguished Congressman. He was known for his long speeches, which tradition says he used to recite in advance of their delivery to his faithful horse in his rides horseback. It is also told of him that in a courtship after he was sixty years of age, while visiting in Monroe county, where the lady lived, he engaged in a game of "blind man's buff" with her. The incident is probably not true, as Mr. Chappell was a very stately, dignified gentleman, and it was likely invented as a piece of campaign badinage. A. R. Lamar has been for the last twenty-five years one of the conspicuous editors of

the State, conducting the Savannah *Georgian* and Columbus *Times*. Few men can equal him in his command of a pure, forcible and elegant style of writing. He has been one of the men who have labored long for party without reward. Wm. Dougherty, who is dead, was the great lawyer of his day—a man of wonderful legal ability. He took little interest in politics, devoting himself, unseduced by any charm of public station, to his profession. He was a strikingly handsome man. W K. De Graffenreid was a lawyer of ability, much above mediocrity. He is dead. Cincinnatus Peeples became a judge. He was a large, genial gentleman, possessed of unusual speaking talent, with a rich vein of humorous illustration. His warm heart and generous impulses made him very popular. P W Alexander was a power as a journalist, editing the Savannah *Republican*. As a war correspondent he was the most famous one we had in the South. His war letters were models of critical accuracy, and clear, forcible descriptiveness. Of all of these leading Georgians of two decades back, none of them recall tenderer memories of a beautiful manhood than Junius Wingfield of Putnam county. He was a gifted lawyer, possessing both high ability and a profound knowledge of the law. But the charm of the man was in his pure, gentle, lovable nature and spotless moral life. His domestic qualities were exquisite. He was one of the few men who to manliness and intellect added an almost womanly tenderness of character. He died a few years ago.

Of the hundred gentlemen above recorded seventy of them have passed away, and many of them who were conspicuous persons in their day, are almost wholly unknown now. Individuals of brain, culture, influence and fame as they were then, they have lapsed out of recollection, their names buried in unused records of important events. The learned judge, the eloquent advocate, the famous orator, the influential leader, the honored statesman, the illustrious Chief Magistrate, have alike been rewarded with the same undiscriminating forgetfulness.

The Southern Convention that met in Montgomery in 1858, like its predecessors, did nothing tangible. Resolutions by the wholesale were passed, but no practical scheme was inaugurated for increasing Southern power and enlarging Southern independence. Tennessee, Virginia, the two Carolinas, Alabama, Georgia, Florida, Texas, Mississippi, Louisiana and Delaware were represented. Mr. A. P. Calhoun of South Carolina was made President, and Mark A. Cooper of Georgia one of the Vice Presidents. Mr. Spratt of South Carolina set the convention wagging fiercely upon a proposition to reopen the slave trade. This inflamma-

ble issue, and another equally perilous condemning the conference bill for the admission of Kansas as a state in the Union, which the entire Southern delegation in Congress had taken as the best they could do, were the two main topics of discussion. Looking back to that day in the calm philosophical retrospection of this, these conventions were simply potential agencies for driving sectional differences to an inevitable rupture and the logical war that followed so swiftly. Wm. L. Yancey of Alabama, and Mr. Rhett of South Carolina were the moving spirits of this convention. While its members were patriotic, its objects, its deliberations, its conclusions were sectional, irritating and defiant. Comparing these Southern movements with the Northern abolition aggressions, we can see now what we could not realize then, that the Northern crusade, while fanatical and unreasoning in its zeal, was without local benefit to its zealots and embodied the protest of all disinterested civilization against slavery. The natural resistance of the South to these extra-constitutional assaults upon the chief institution of Southern wealth and labor, and the prop of the Southern social polity, was based upon local interest, looked to home prosperity, Southern independence of the Union, and the withdrawal of Southern business patronage from the North. Not only were they thus practically antagonistic to Northern interest in their objects, but in their spirit and language they were bitter against Northern sentiment. They simply therefore fed sectional hostility and division. It would be impossible to conceive of more powerful instrumentalities of sectional strife. Not so intended by us or so regarded by the North, they yet thus resulted. They were an effective part of the preface to the great struggle in which Providence had doomed slavery. They were the concentrated utterance, intense, open-voiced, impassioned and majestic, of Southern resentment against Northern aggression upon slavery, and they both stimulated and foreshadowed the inevitable conflict that was coming so soon. Even though their final action was legitimate, that could not remove the effect of the fiery sectional deliberations that frenzied the very fanaticism sought to be thwarted. This Convention met, argued, acted and adjourned, but its only legacies were fuel for the impending Revolution.

CHAPTER X.

THE SPIRIT OF 1858 IN GEORGIA.

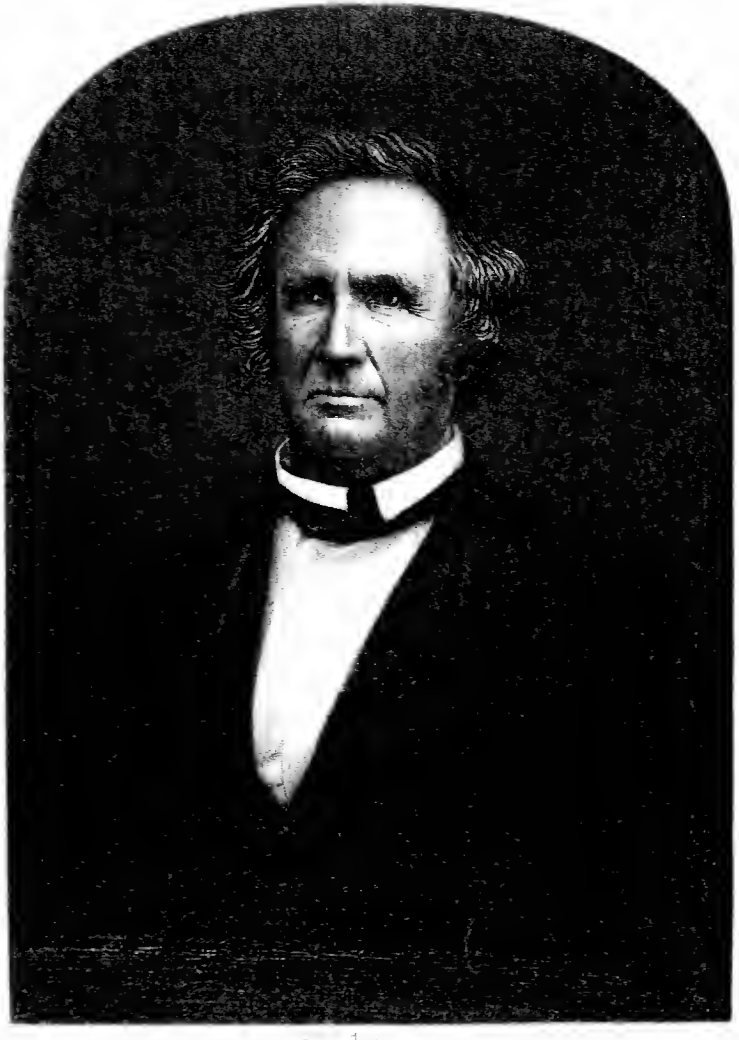
The State Judiciary.—Its Personelle.—Judge W. B. Fleming and D. F. Hammond only Survive in 1881.—H. L. Benning.—The Bank Cases.—E. G. Cabaniss.—A New Fight of the Banks.—What Gov. Brown did as a Bank Reformer.—Brown as a Foeman.—The Cotton Planters' Convention.—The State Newspapers.—Wm. T. Thompson.—Joseph Clisby.—A. R. Lamar.—Deceased Journalists.—Legislative Dots.—The State Road and Brown's Sweeping Reforms.—John A. Tucker.—John E. Ward.—Henry R. Jackson and his magnificent address upon the Expansion of American Empire and its effect on Southern Institutions.

THE composition of the Georgia judiciary in 1858 was as follows:

Supreme Court.—Joseph H. Lumpkin, Chas. J. McDonald, Henry L. Benning.

Superior Courts.—Brunswick Circuit, A. E. Cochran; Blue Ridge Circuit, Geo. D. Rice; Chattahooche Circuit, E. H. Worrell; Cherokee Circuit, R. Trippe; Coweta Circuit, O. A. Bull; Eastern Circuit, W. B. Fleming; Flint Circuit, E. G. Cabaniss; Macon Circuit, A. P. Powers; Middle Circuit, W. W. Holt; Northern Circuit, James Thomas; Ocmulgee Circuit, R. V. Hardeman; Pataula Circuit, David J. Kiddoo; Southern Circuit, Peter E. Love; South-western Circuit, Alex A. Allen; Tallapoosa Circuit, Dennis F. Hammond; Western Circuit, N. L. Hutchins.

Of these officials all of the gentlemen who were Justices of the Supreme Court are dead, and fourteen out of the sixteen Superior Court Judges. The only living ones of this array of judicial talent are Judge W. B. Fleming, who is now Judge of the Eastern Circuit, and very old, and Dennis F. Hammond, who lives in Atlanta, in fine law practice and vigorous health. Judge Hammond is a gentleman of peculiar and original character, and has been perhaps as strong a man physically as we have ever had in Georgia. A thick-set, massive frame of iron strength, backed by a most resolute will and a most remarkable volubility of words in talk, belongs to him. While he is a preacher as well as lawyer, he belongs to the church militant, and has been ever ready to enforce his spiritual expoundings upon refractory subjects with a physical drubbing. The anecdotes of his ready and irresistible combativeness are numerous and racy. Nature never made a sincerer or kinder or a more stubborn spirit. Judge Fleming has been an upright and able Judge, and has the gratification of serving on



Charles J. McDonald

the bench of the Eastern Circuit, while he has a son equally able and respected, who presides in the Albany Circuit, Judge William O. Fleming. Judge Henry L. Benning, of the Supreme Bench, was a very marked man in Georgia. He made a gallant record as a Brigadier General in the late war. He won for himself the sturdy soubriquet of "Old Rock." He was a man of absolutely crystal truth. He had a candor and directness proverbial. He spoke with a low, guttural tone and a syllabic precision, that heightened the idea of his manly force of character. He was able to take unpopular positions without loss of respect, so strong was the confidence in his sincerity. A very strong effort was made in the General Assembly of 1858 to strike down "Old Rock." The suit of Beall vs. Robinson, from Muscogee county, was a case involving the liability of the stockholders of a broken bank for bills that had been issued. Judge Benning was the son-in-law of Col. Seaborn Jones, a stockholder, and had been attorney for Gen. D. McDonald, another large stockholder of another bank. He presided in the case and gave decision against the bill-holders. A petition was presented to the General Assembly urging the body to take some action against Judge Benning, and a resolution was introduced in the Senate advising and requesting Judge Benning and McDonald to resign their offices. The matter created a good deal of feeling, but the Senate voted to lay the resolution on the table for the balance of the session by a vote of 67 yeas to 45 nays. Judge Benning had been urged not to preside in the case, as it was similar to cases in which his client and his father-in-law had been interested. He presided because he deemed it his duty not to shirk his responsibility, and in the decision he explains this very urgency of his duty. The famous lawyer, William Dougherty, was the moving power in these cases, and he inspired the hostile proceedings in the legislature. The incident unjustly did great injury to Judge Benning a long time, which he keenly felt. And after the war, when he was defeated for the Supreme Bench in the legislature by Dawson A. Walker, it was through the active agency of Mr. Dougherty on account of this very decision, Dougherty declaring that he would support Benning for Governor, or anything else, but he should not go on the Supreme Bench if he could help it. Benning, who was a man of sensitive honor, though of unbending will, afterwards declined to allow Gov. Smith to appoint him Judge of the Supreme Court, because he considered the action of the legislature in defeating him as a condemnation of his course in the Beall-Robinson matter.

Of the judges mentioned Judge E. G. Cabaniss had a high measure of public esteem and influence. He was a very conservative public man of solid sense, and the personal consequence that belongs to careful judgment and scrupulous conscience. He belonged to that class of citizens known as "safe" men, clear-headed and calm-tempered. Judge Powers of the Macon Circuit soon resigned, and Gov. Brown appointed in his place for the interim Henry G. Lamar, who had been so prominent in the gubernatorial contest that resulted in Gov. Brown's nomination.

During the year 1858 the banks resumed specie payment long before the time specified for resumption in November, but some twenty of the banks failed to make the semi-annual return on the 1st of June required under the law of the suspension. Upon the failure of the banks to do this the law required the Governor to issue proclamation publishing the names of the delinquent banks, and notifying the Treasurer not to receive their bills. This the Governor did, and when the Legislature met in November his message was largely taken up with a continued discussion of the Bank question. The battle of the Executive with the banks had not ended. Popular sentiment had overwhelmingly backed the Governor, but the banks were strong and defiant, and in the existing condition of the law they were powerful and independent. There was no formidable penalty attached to their disobedience of executive authority, and they had under the statutes as they were, in some cases issued as high as fifteen dollars for one, or at least previous returns so showed. Gov. Brown has always been a perilous foeman, never holding up while he could strike upon a resisting antagonist. If the bank authorities supposed for a moment they could successfully and with impunity defy him in his official authority they were sadly mistaken. He came back with renewed vim. He discussed the whole question with great ability. He urged that the banks be required to pay a penalty of two per cent. a month upon their capital stock while they disobeyed the statute, which is now the law. He also held up to light imperfections of the banking system, which needed correction. Reviewing this acrimonious agitation, recalling the abuses that had crept into our bank system, and estimating the value of the reforms made in consequence of the stubborn fight of our resolute young Executive against the combined capital of the state in that memorable session of 1857–8, it will be seen that a very large amount of good was accomplished and a substantial service was rendered to the people. Before this the state treasury had suffered a loss of over half a million of dollars

on account of the Central bank and Darien bank. Besides, numerous financial panics in which the banks were controlling agencies had brought upon the citizens of the state individual loss. Gov. Brown was the direct cause of a wholesome and sweeping reform in our whole scheme of banking, a reform going to the very vitals of our prosperity, affecting commerce and agriculture. He so clearly and forcibly brought to light the evils of the then existing system, and he was so unyielding in pressing their reform, that a permanent change for the better was effected through his powerful instrumentality.

During the year 1858 a Cotton Planters' Convention was held in Milledgeville on the 8th of June, of which Howell Cobb was President, and Gen. B. H. Rutherford and Gen. J. W Armstrong, Vice-Presidents. This convention illustrates the spirit of the South in that day to organizations for Southern benefit. Mr. Cobb addressed the convention, stating its objects. Committees were appointed on the following subjects, comprehensive enough, it must he admitted: 1. The Cotton Power. 2. Cotton Power as an American Power. 3. Cotton Power as a Southern Power. 4. Cotton Power as a Union Power. 5. Cotton Power as a Peace Power. 6. Cotton Power as an anti-Abolition Power. 7. Direct Trade with Foreign Countries. The coöperation of other states was invited, and the convention adjourned to September, when it re-assembled in Macon. Some reports were made, and the convention adjourned subject to the call of the chairman without any action.

Among the leading papers in the state at this time were the Savannah *News*, W. T. Thompson, editor; Savannah *Republican*, J. R. Sneed; Macon *Telegraph*, J. Clisby; Augusta *Chronicle and Sentinel*, Wm. Smythe; Augusta *Constitutionalist*, James Gardner; Columbus *Times and Sentinel*, P. H. Colquitt and James W Warren; *Federal Union*, S. M. Boughton; *Southern Recorder*, R. M. Orme; Atlanta *Intelligencer*, A. A. Gaulding; Griffin *Empire State*, J. H. Steele; Macon *State Press;* Calhoun *Georgia Platform;* Cartersville *Express;* Cassville *Standard;* Griffin *Independent South;* Wire Grass *Reporter;* Columbus *Enquirer*, John H. Martin; Savannah *Georgian*, A. R. Lamar; Athens *Watchman;* Newnan *Banner and Sentinel;* Albany *Patriot;* Columbus *Corner Stone*, Gen. J. N. Bethune; Bainbridge *Argus;* Lagrange *Reporter*, C. H. C. Willingham; Madison *Family Visitor;* Bainbridge *Southern Georgian;* Dalton *Times*, T. R. Christian; *South-West News;* Lumpkin *Palladium*, Dr. J. C. C. Blackburn; *Temperance Crusader;* Athens *Banner;* Sumter *Republican*, C. W Hancock. Of the editors then ruling the Georgia press there are liv-

ing, W T. Thompson, still in charge of the Savannah *News,* J. Clisby, yet at the head of the Macon *Telegraph;* James W Warren is Secretary in the Executive Department and a most polished writer; J. H. Martin, A. R. Lamar and Gen. J. N. Bethune are out of journalism; Dr. J. C. C. Blackburn is editing the *Madisonian* at Madison; J. R. Sneed is in the city of Washington, filling the place of Assistant Postmaster of the Senate. Col. Thompson won an enduring fame as a natural humorist by the publication of that inimitable book, "Major Jones' Courtship." But he had more than humorous power. A gentleman of strong convictions and decided views, he was an able political editor. Jos. Clisby of the *Telegraph* is one of the most versatile and graceful writers of the Georgia press. Some of his writings have been marked by a remarkable grace and a vein of delicate humor. A. R. Lamar was one of the purest writers of English that we have ever had on the Georgia papers. J. H. Martin has wielded a simple but vigorous style, and been noted for a judicial sort of conservatism in political commentary. Dr. Blackburn was a facile writer, and flourishes a ready sparkling pen to this day. C. W Hancock is still publishing the Sumter *Republican,* one of the best papers in the state, and is a vigorous and versatile editor. Mr. C. H. C. Willingham is now editing the Cartersville *Free Press,* and is to-day as he was twenty-five years ago one of the boldest and most graceful writers in our state journalism.

Of the deceased editors, Jas. Gardner, Wm. Smythe, S. M. Boughton, R. M. Orme and J. H. Steele were all editors of state repute as experienced, aggressive and capable political controversialists,—men that bore themselves gallantly in the memorable campaigns of those days, giving hard blows and upholding their respective sides with bright capacity and rare vigor. The Milledgeville papers, though weeklies, were powers then, having large and general state circulation, and wielding great influence. Both Mr. Boughton of the *Union* and Mr. Orme of the *Recorder* were editors of unusual ability, and their bouts were marked by incisive force and a fine grasp of political argument.

The session of the General Assembly of 1858 has been touched upon in connection with the bank matter. Among the changes that had taken place in the body, Mr. Cumbie, the representative of Baker county, had been cut off in the formation of the new county of Mitchell, and Alfred H. Colquitt, the present Executive of Georgia, was elected as the representative from Baker. In the middle of the session, Mr. John E. Ward, the senator from Chatham county, and the president of the senate was appointed the United States minister to China, and re-

signed his place. Mr. T. L. Guerry was elected president, and Mr. Wm. H. Stiles was returned from Chatham county, as its senator. The new counties of Banks, Brooks, Johnson, Echols and Quitman were created at this session, making thirteen new counties formed by this General Assembly. A bill was introduced and excitedly discussed to lease the state road. It is a curious coincidence that in his message, Gov. Brown, in discussing the state road, maintained its great value and remunerativeness, and avowed that as a private citizen, he would be ready to lease the road and bind himself to pay $25,000 a month to the state for a long term of years. This very arrangement he afterwards consummated and is now executing. In spite of Gov. Brown's successful management of the road, the opposition press fought him savagely upon it. He persisted in his policy, cutting down every expense, keeping the road in good order, and paying monthly into the treasury large sums, until the opposition were silenced, and reluctant enmity was obliged to accord to him a great practical triumph of railroad government.

Every species of detraction was employed against him. He had appointed as solicitor general of the Cherokee Circuit, in the place of J. C. Longstreet, deceased, Col. J. A. R. Hanks, who belonged to the Baptists and sometimes preached. A howl was raised against Gov. Brown, on the ground that he was giving a monopoly of his official patronage to his Baptist brethren, and the charge was made that he had stocked the state road with this favored persuasion. Some statistical employés of the state road undertook to vindicate the Governor from this accusation, and published a table showing the religious complexion of the road force. There were 7 Lutherans, 60 Missionary Baptists, 12 Primitive Baptists, 5 Campbellite Baptists, 31 Presbyterians, 57 Methodists, 8 Episcopalians, and 15 Catholics. This exploded the charge. There were many personal inducements for opposition to the Governor, in his administration of the road. He had made an entire change of management in the force from superintendent down, thus creating an intense enmity in the discharged employés. The public complaint because the road had paid so little money into the treasury, under previous administrations had been so great, that the Governor deemed it best to establish a new régime. Again, the leading politicians of the state had enjoyed the privilege of free passes upon the road, and Gov. Brown cut off this, to the great dissatisfaction of the favored gentlemen. In selecting officers to run the road, he appointed men solely on his knowledge of their qualifications, and without regard to application or

endorsement, frequently tendering places to men who had not applied. The clamor of disappointed applicants thus added volume to the opposition. But the Governor had resolved to make the road a paying institution, and he pushed this purpose to completion, with his accustomed judgment and decision. The petty fuss against his reform, was soon lost in the great current of popular appreciation of his genuine public service. "Nothing succeeds like success" has a profound truth in it. A state income from the road of $200,000 the first year, and $300,000 the second, and $400,000 the third, was an argument well calculated to silence grumblers and please the people.

The Governor in every matter that came under his control had an eye to promoting the State's interest. There was a large amount of the state school fund lying idle in the treasury. He deposited it with the Bank of Savannah until the time came to pay it out under the law, under an arrangement that brought the nice little sum of $6,000 interest into the treasury. Under previous administrations, beginning with Gov. Geo. W Crawford, a Whig executive, some twelve years before, who set the precedent, the practice was to publish executive proclamations in only one of the papers at the seat of government, selecting the organ of the party in power. Gov. Brown broke this custom, giving the proclamations to both papers.

It was during the year 1858 that a gentleman of very considerable repute, John A. Tucker, of Terrell county, committed suicide. He was a man of strong natural talent, without culture, of great local influence and state prominence. He took his own life in one of the moods of melancholy superinduced by occasional dissipation to which he was addicted. It was also during this year that a very general cattle disease prevailed, a sort of sore tongue among cows, that seized everything, but was not very fatal.

This year saw a distinguished Georgian, Hon. John E. Ward, selected as the United States minister to China, while another equally distinguished Georgian, Hon. Henry R. Jackson, had returned to his home in Savannah, after brilliant service as United States minister to Austria. Mr. Jackson was invited to address the Legislature on public matters, and did so on the evening of the 23d of November, 1858, in a speech of remarkable eloquence and power, on the theme of the "Extension of American Empire, and its Effect on Southern Institutions." It was a masterly vindication of the idea of territorial expansion, and abounded in passages of impassioned and beautiful rhetoric. The *Federal Union* in speaking of the address, said, "that golden thread of poesy, which

in other days linked his soul to the beautiful and the good of earth, still shines through the inner, and sways the sweet influences of the outer man." The following passage will give an idea of the exquisite eloquence of this address :

"First and foremost among men, Washington, declining to place a crown upon his own brow, *immaterialized* the principle of government, taking it out of material forms and placing it in the abstract law. There it stands, cold yet pure, unsympathizing yet incorruptible, a crowned abstraction, holding the scepter of empire in its pulseless hand, the constitution of these United States. (Cheers.) Sublime reflection! that the American citizen is the subject only of thought. Exalting prerogative! that wherever or whoever he may be, whether seated in the executive mansion, the nation's chief, or following his plow in the broad blaze of the noon-day sun in the solitude of the Western wilderness, he recognizes no material medium betweeu himself and the soul of all thought, of all law, of all truth, and that when he kneels he kneels alone to his God! (Cheers.)"

He thus concluded in a storm of applause :

"Not yours the vast commercial emporium with its countless temptations to corruption and crime; not yours the ancient capitol, enriched by the accumulated hoards of lapsed ages of enervating time; not yours the luxurious palace, adorned with the works of semi-sensual art; but yours at last is THE STATE, in the simple words, but sublime thought of the poet:

'What constitutes a State ?
Not high-raised battlement, nor labored mound,
Huge walls nor moated gate,
Nor cities proud with spire, and turret-crowned;
Nor starred and spangled courts
Where low-born baseness wafts perfume to pride,
But men, strong minded men,
Men who their duties know, but know their rights,
And knowing, dare maintain.
These constitute a State!'"

CHAPTER XI.

GOVERNOR BROWN'S SUPERB PUBLIC ENDORSEMENT AND RENOMINATION.

The Codification of Georgia Law.—Thomas R. R. Cobb.—The Universal Demand for Gov. Brown's Re-election.—The Unknown Gaddistowner, the Master of the State in Twelve Months.—The Unparalleled Torrent of Popular Praise.—Some of the Royal Voicings of Press and People.—Wonderful and Unprecedented Tributes.—A Monotony of Encomium.—The Democratic Nominating Convention.—Its Personelle.—John B. Walker's Flashing Speech.—Formalities Dispensed with.—Brown Renominated in a Unanimous Whirlwind.—The Exquisite Impromptu Speech of Henry R. Jackson.—A Gem of Eloquence.—Brown Brought In—A Remarkable Acceptance.—Resolves to make no Canvass.

It was at this time that the important work of the codification of our laws began. The General Assembly elected as Codifiers, ex-Gov. Herschell V Johnson, ex-Judge David Irwin, and Judge Iverson L. Harris, at that time presiding over the Ocmulgee Circuit. Judge Harris was a citizen of Milledgeville, a lawyer of great ability and high character, who was afterwards elevated to the Supreme Bench. He was a gentleman of purity of nature and very positive and conscientious. He and ex-Gov. Johnson declined the duty, and Gov. Brown with admirable judgment appointed Judge Richard H. Clark and Thomas R. R. Cobb in their places. Mr. Cobb was the brother of Hon. Howell Cobb and one of the leading lawyers of the state. He possessed both high order of intellect and an elegant culture. He was also a man of herculean capacity for work. His industry was tireless. He had been for years reporter of the Supreme Court, was author of a Digest of Georgia law, and an erudite work on the Law of Slavery. He was a man of deep religious feeling and an elder in the Presbyterian church. He was also a professor in the Lumpkin law school at Athens. The Code was finished and adopted in 1860, to go into effect on the 1st day of January, 1862. A legislative committee consisting of Hines Holt, Dan'l S. Printup and W. W Paine of the Senate, and Geo. N. Lester, Isham S. Fannin, W G. Delony, M. W Lewis, C. N. Broyles and C. J. Williams of the House examined and reported in favor of the code. The work was an extensive, original and unprecedented accomplishment, embodying in concise and symmetrical form the vast body of

common and statutory law in force in the state with the judicial exposition of the same. In 1863 the Code was remodeled to conform to the Confederate Constitution. In 1867 a revision of the Code was made by David Irwin, covering the changes made since the surrender, including the Constitution of 1865, and this revised Code was examined and reported upon by a committee of citizens, appointed by Gov. Jenkins under a resolution of the General Assembly, composed of Gen. Andrew J. Hansell, Col. Logan E. Bleckley and Col. Nathaniel J. Hammond. This has been known as the Code of 1868. The last revision of the Code was in 1873, by David Irwin, Geo. N. Lester and Walter B. Hill, and the examination of it was done by the Attorney General of the state, Hon. N. J. Hammond, under direction of a resolution of the General Assembly of 1872. This revision contained the Constitution of 1868, and the supreme court decisions and the statute laws up to 1873.

In the beginning of the year 1859 the agitation of the gubernatorial succession commenced. The convention was called for June. The whole drift of democratic preference was for Governor Brown. No Executive in the history of the state has ever made such an impression upon the people. His establishment and maintenance of leadership was something phenomenal. His clutch of the popular heart was a miracle of personal achievement. His fierce strifes of public policy and sturdy championship of the public interest had rooted him deep and fixed in the affections and admiration of the masses. His popularity was so pronounced that no democrat allowed his name to be canvassed in opposition to the people's manifest desire for Brown. It must be considered that at this time it was but a little more than a year since he had been sprung, an unknown man, upon the people of the whole state. Yet in this brief time, in spite of inexperience and the drawbacks of his obscurity, he had by his iron force of character, magnificent genius of common-sense, and inborn statesmanship, impressed himself upon the commonwealth as a vital, foremost, irresistible public leader, the uncontested and dominant master of the state. It was a proud work.

The spontaneous utterances of the press, and the unprompted resolutions of county meetings in all parts of the state testify strikingly to the public estimate placed upon Governor Brown after this one short year of public service as chief magistrate. It was a realization of the ancient fable of the consummate Minerva springing full armed and matured at birth from the brain of Jove. Without the usual apprenticeship in public life, he had shown himself a full-grown statesman,

handling the great and complicated affairs of state government with unsurpassable ability. Some of the endorsements of him are remarkable. Col. W A. Lewis of Forsyth Co., who had opposed Brown, wrote to the Lawrenceville *News* that "he cordially endorsed Gov. Brown's administration of the affairs of the state." Hon. Wm. H. Stiles, who was before the last convention, saw his name mentioned in the "Southern Confederacy," at Atlanta, as a probable candidate for Governor. He published a brief letter, saying, "I have no desire to disturb an administration which, so far at least as the public prints indicate, seems to afford such general satisfaction." In a very strong editorial Dr. Blackburn of the Lumpkin *Palladium* used these incisive sentences:

"His Excellency, Governor Brown, has, as we predicted in an editorial of May last, when the bank organs of the state were hunting him down with *blood-hound* ferocity, proven himself fully competent to discharge the duties of Governor of a great and growing commonwealth, and now is entitled to the proud epithet of being the *model* Governor of this Union. He is a safe custodian of the people's honor, a fearless exponent of correct principles, and a safe keeper of the mighty resources of the Empire state. He has by his fearless course forced his traducers to acknowledge his administrative capability. He is *our only* choice for Governor for the next term, and we believe that we but reflect the honest sentiments of four-fifths of the Democracy of Southwestern Georgia."

The Columbus *Times* used this forcible language:

"The administration of Joseph E. Brown has been from the period of his inauguration to the present moment, successful and satisfactory to the people. We need not refer to the acts of his administration in proof of what we say—we need not allude to his bold, independent course in displacing officers—adhering to true and correct principles, and his successful management of the state affairs, to vindicate us in awarding to him what justice demands. We mean simply to echo the sentiments of the people in wishing the shafts of malice thrown at him to be broken, and that he will remain another term in the office which he now fills with so much credit to his party and honor to his state."

The Milledgeville *Recorder*, the uncompromising organ of the opposition, in the following paragraph of bitter sarcasm bore unconscious testimony to the Governor's influence:

"It is known that Gov. Brown has won an enviable reputation as an honest man, especially in a financial point of view, and the knowledge and belief of it was quite visible upon the legislature. For it was a noticeable fact, that whenever a bill or resolution that had for its intention the appropriation or paying out of money, it was immediately suggested that it be referred to the Governor to do as he thought best. In other words, the legislature seemed willing to shift all responsibility, and dodge behind the accredited honesty of the Governor."

The Macon *Telegraph* stated emphatically:

"It is universally conceded that the *people*, or ninety-nine in one hundred, at least, of the democracy are favorable to the re-nomination of Gov. Brown."

These are specimens of the complimentary endorsement that the party press of that day gave Gov. Brown. It was, however, in the resolutions of the county meetings that popular approval seems to have uttered its most ardent expressions. At a democratic meeting held in Milledgeville in March, presided over by Col. D. C. Campbell, a committee composed of Judge I. L. Harris, M. D. McComb, F. G. Grieve, Dr. W A. Jarratt and D. P. Brown, reported the following extraordinary resolutions, which were unanimously adopted, and constitute as powerful a public tribute as any public man ever received:

"The year 1859 is destined, politically, in Georgia in some respects from appearances to be remarkable. Within the memory of the eldest among us, the high honor of being the Governor of the state has never been won and worn without a severe, and most usually, a bitter party contest. It has not unfrequently, also, been a matter of difficulty to ascertain the *choice of the people*, and hence the necessity which has hitherto existed for conventions to collect, concentrate and reflect their will.

"In the ranks of the democratic party there is no contest for this high office; if there have been any aspirations for it, they have been hushed in the general voice of the people of Georgia. One name—one person only is thought of—talked of for Governor. It is folly,—it is worse,—it would be madness, to attempt to frustrate that will that makes itself so unmistakably and audibly heard. Of the people—he is emphatically at this time the favorite of the people.

"It will be, we think, the peculiar good fortune of Gov. Brown, though he should again be presented by the democratic party for re-election—to meet with an acceptance from the state at large, which it never was the lot of any of his many distinguished predecessors to secure. Such an event—a probability most likely to occur—is strikingly suggestive. Can it be otherwise than that his administration of the executive department has been singularly wise, prudent, just, vigilant, firm and energetic, and in accordance with the pulsations of the popular heart, to have commanded, as it has done, such an unwonted popular approval.

"Compelled by official duty to reside within our limits, the citizens of Baldwin county cheerfully bear testimony to the modest, affable and unpretending deportment, and to the plain, simple, republican habits of this distinguished citizen of the Cherokee section of Georgia, by which he has secured our affections and esteem."

This magnificent and spontaneous encomium, unlike the hackneyed formalism of such occasions, coming from the source that it did, extorted as it was by sheer merit and the luster of unembellished deed, giving exalted precedence to the simple man of the people above a long line of aristocratic and brilliant predecessors, was indeed such a grand public recognition as few men deserve and fewer obtain. The Democracy of Talbot county resolved, "That the wisdom and unwavering firmness of his excellency Gov. Brown, his upright and judicious admin-

istration of state government, his practical and praiseworthy management of public property, his guardian protection of the people's every interest in his hands, not only warrant his continuance in office, but command the respect and admiration of every true Georgian." The democrats of the plucky county of Campbell instructed their delegates "To go for Brown first, Brown last, and Brown all the time, and never to surrender 'our choice' to the factious opposition of a minority having personal injuries to redress and avenge." L. B. Watts was chairman of the meeting, and Dr. T. C. Glover chairman of the committee that reported these pointed words, Butts county declared that "the administration of Gov. Brown meets with unanimous approval." B. F Ward was chairman, and the committee, A. Taliaferro, C. S. Foster, E. Varner, Thomas McKibben and J. Carmichael. The Wilkinson county democracy said that Gov. Brown's administration had "met with the cordial approbation of almost all parties throughout the state." In a Cobb county meeting presided over by Judge Rice, T. H. Moore, chairman of committee, reported resolutions declaring "that Joseph E. Brown is the people's choice, and they will be content with no other," and that a convention was unnecessary. Cherokee and Stewart counties had rousing meetings. In the Stewart gathering, Judge James Clarke speaking used this slashing language: "Joseph E. Brown at the commencement of the last political campaign was called in derision '*the Cherokee cow driver;*' he has proved himself the *driver out* of the plunderers of your country; the *driver out* of dishonesty in high places; the *driver out* by his intrepid vetoes of vicious and corrupt legislation; and the *driver out* of those exclusive privileges by which one set of men are enabled to enslave another." And he added this applauded compliment: "Brown has proved himself as *thoroughly made of hickory as Old Hickory himself.*" The Pulaski county democracy resolved to support "*Honest Joe Brown.*" In Washington county a meeting presided over by Gen. T. J. Warthen, with J. N. Gilmore and Evan P. Howell as secretaries, adopted unanimously a graceful and vigorous set of resolutions reported by a committee composed of Col. James S. Hook, Thomas O. Wicker, Beverly D. Evans, Jno. Kittrell and W G. Robson. The resolutions bear the mark of having been written by that writer and speaker of unusual power, Colonel, afterwards Judge Jas. S. Hook, one of the ablest lawyers and purest citizens of the state. The following resolution is a glowing encomium upon Gov. Brown.

"*Resolved*, That the administration of Gov. Brown stands out in its own solid, yet unpretending grandeur, a splendid monument of high intellectual sagacity and moral

heroism, reminding us most vividly of the stern and manly virtues of those noble and great men who illustrate the early history of the republic."

The Merriwether county Democracy complimented Gov. Brown's "watchful guardianship." Wilcox county deemed it "but an act of sheer justice" to renominate him; Appling county declared him "the man who was not afraid to throw himself between the frowns of the corporations and the people's interest." Muscogee county, in a meeting presided over by Wiley Williams, declared that Gov. Brown "is our first choice." Even Chatham county, the central point of the bank influence, endorsed Gov. Brown's administration as a whole.

The endorsements above selected are taken from an unbroken current of commendation, that the people of the state gave to Gov. Brown. No public man has ever been so endorsed. There was almost literally no dissent in the Democratic party. Fulton county at first seemed divided upon Gov. Brown, there being many disappointed state road employés in Atlanta, but a public meeting decided overwhelmingly for Brown. Polk county sent a divided delegation to the convention. And Cass county alone sent an anti-Brown delegation headed by a discharged railroad official. The Wire Grass Reporter with a grim humor, said editorially, "We were really getting a little wearied and jaded at the everlasting resolution, recurring in every county, pronouncing in favor of the renomination of Joseph E. Brown, until we came to Cass. Here we found a change come over the spirit of the meeting; a new sensation sprung quite refreshing amid the Brown monotony; a new 'hu-r-r-ah,' reminding us strongly of Rip Van Winkle's approach to the whig meeting after his thirty years' nap, swinging his beaver and huzzaing for old King George; and like Rip if the Cass boys do not get hustled for it, we shall wonder." Even some of the opposition press were for Gov. Brown. The Sumter *Republican*, edited by Mr. Hancock, was for calling an American state convention, but urged that the convention should endorse Gov. Brown.

The Democratic convention, assembled in Milledgeville, on the 15th of June, 1858. It was a very large and able body. There were 405 delegates from 117 counties. Among them were Gen. Henry R. Jackson, and Hon. Julian Hartridge of Savannah, Hon. James Jackson of Clarke, Gen. William Phillips of Cobb, Milton A. Candler of Dekalb, E. W Chastain of Fannin, Logan E. Bleckley of Fulton, Daniel S. Printup of Rome, W A. Lofton of Jasper, F. H. West of Lee, Samuel Hall of Macon, Randolph Spaulding of McIntosh, T. P. Saffold of Morgan, Porter Ingram of Muscogee, H. Fielder of Polk, L. J. Alred of Pickens,

Dr. J. C. C. Blackburn of Stewart, W. A. Hawkins of Sumter, D. N. Speer of Troup, C. J. Wellborn of Union, E. H. Pottle of Warren, George Hillyer of Walton, J. A. R. Hanks and W K. Moore of Whitfield, Gen. T. J. Warthen and T. O. Wicker of Washington, and Hon. James L. Seward of Thomas.

The business went through with a rush in this large convention. The party had spoken with an emphasis and a unanimity rarely seen. The great gathering was merely met to record the popular will. The ordinary formalities were brushed aside. Mr. Steele moved to dispense with the calling the list of delegates and go to business, and it was promptly done. Col. John A. Jones moved a committee on organization. E. W Chastain moved that John B. Walker be made president by acclamation, and it went through like a flash. Mr. Walker was a farmer, but he made a ripping little speech. Modestly claiming to be no presiding officer, he glittered out in a rare succession of eloquent utterances. Said he, warming up:

"We have not assembled here, gentlemen, to discuss our political creed, to repair our political platform, to add a plank to it, or take one from it. No, gentlemen, we feel that our old political platform is one so durable, that time may wither at its base, eternity play around its summit. We have come here to place upon that old political platform a man that is worthy of our full and entire confidence, and who will secure the popular vote of the state."

He closed in a whirlwind of applause. Several motions were made for a business committee, but the body was in no mood for formalities. Hon. James L. Seward offered a crisp trio of resolutions. The first reaffirmed the Cincinnati platform of 1856; the second endorsed President Buchanan; the third was as follows:

"*Resolved*, That the honesty, fidelity and ability which Joseph E. Brown has manifested, as the Executive of Georgia, entitles him to the confidence of the whole people of the state, and we hereby nominate him by acclamation, as the candidate of the democratic party of Georgia for the next Governor."

The first and third resolutions were immediately adopted unanimously. The second resolution about Buchanan was adopted by 371 yeas to 34 nays. Hon. Henry R. Jackson was called on by the convention for a speech. Rising in response to the call, Mr. Jackson began in that musical, tremulous, penetrating voice that so well suited the exquisite diction and eloquent thought that marked his speeches.

"And what am I to say, Mr. President, in response to a call so flattering to my vanity, but at the same time so wholly unexpected by me. Indeed the occasion for a speech would seem to have passed, when by its action this convention has already announced the almost universal thought. I seize upon the moment, then, not for argument but for

congratulation that argument has been in truth at no time necessary to secure among us concert of opinion, of feeling and of action. The principles we profess, the course and character of the men we support—more potent than words of eloquent persuasion had already secured it for us.

"If I begin where the action of the convention left off—if I begin with the nomination of Joseph E. Brown for re-election to the Gubernatorial Chair, I feel that my last remark comes with peculiar propriety from one who represents in part the County of Chatham and City of Savanuah. It seems to have been at one time supposed that such a nomination might not be acceptable to the Chatham Democracy. But I am assured that I utter the sentiments of those who have sent me here as a delegate, and also the sentiment of my colleagues, in that delegation, when I say that our honored Chief Magistrate, by the general ability of his State Administration, by his integrity of purpose and energy of action has deservedly secured for himself the earnest support of the true-hearted democracy of Chatham, precisely as he has this day commanded the approval of the entire democracy of Georgia. It is not that there may not have been some conflicts of opinion between us in the past; nor that the possibility may not still exist of similar conflicts in the future; but because in the essentials of our political faith we are with him, and with him in full, honest and warm accord."

The applause that followed Mr. Jackson in these beautiful allusions to Gov. Brown showed how warmly he echoed the popular pulsation. He concluded with a brilliant defense of President Buchanan's course to the South. A committee was appointed of S. J. Smith, J. H. Steele, H. R. Jackson, D. C. Campbell and Porter Ingram to notify Gov. Brown and request his acceptance of the nomination. The committee returned in a few moments escorting the fortunate recipient of this marvelous honor. Gov. Brown came in amid a storm of feeling, placid and composed as he ever was. But a brief two years had elapsed since, unknown to the state at large, he had while binding wheat—Cincinnatus like—on his mountain-valley farm, away from the telegraph and the iron track, received the unexpected news of his nomination for governor. The question that pealed from the public voice, "Who is Joe Brown?" was an honest one. It had to be answered. The people did not know. The homely young countryman had answered it, and the answer was a real one. It was a response of unparalleled power. But a year and a half of executive duty was needed to result in a unanimous and irresistible demand by the great popular will for his re-installation in his exalted trust. The state knew him, and knew him so well, that *the people*,—the "Woolhats" that he came from, and whose interests he had guarded as well as the aristocrats who ridiculed him and whom he had fought, stood shoulder to shoulder in admiring recognition of his high public service, and vied in doing honor to this simple but superb public administrator of the people's affairs. And it was a singular and impressive coincidence that the man of all others that

stood as the eloquent mouthpiece of a great state in emphasizing this matchless tribute to the plain self-made man of the democratic masses was the aristocratic descendant of one of the great and illustrious families of the republic,—a family princely from its achieved distinctions,—who represented the courtliest constituency in the state, that placed high value upon the hereditary transmission of gentle blood and thorough-bred ancestry. Not only this, but this constituency had been the very pedestal of these financial influences that the executive had so successfully antagonized, and it was a striking reward of honest purpose and undeniable ability that even these embittered powers joined in this splendid and substantial ovation.

Gov. Brown's impromptu response on this supreme occasion was in some respects a remarkable one. Expressing the deep sense of appreciation of the public confidence, modestly referring to his past executive course, incisively endorsing the national policy indicated by the convention, he went on to speak with pride of the position of Georgia in the sisterhood of states and her unequaled resources. Her bonds were quoted at a higher premium than those of any other state. Her debt was only two and a half millions, while she owned property worth from seven to ten millions. Her railroad enterprises were being pushed rapidly, so that the people of remote sections were becoming neighbors. His earnest expressions of interest in the subject of popular education drew enthusiastic cheering. But the part of his speech that surprised the convention and illustrated his dutiful ideas, was his declaration that he should not undertake to canvass the state. He said :

"My official course has been open and above board, and is known to the people. I am willing to be judged by my *acts*. While in office I could not canvass the state without frequently neglecting important official duties; and I am unwilling to neglect the duties of an important official trust confided to me by the people for the purpose of canvassing for another term in office. If my health permits, and I perform faithfully my executive duties, and by necessary co-operation with the able, efficient and trustworthy officers of the state road, can assist them to pour into your state treasury from thirty-five to forty thousand dollars in cash per month, I shall feel that I am doing the state more service than I or any one who may be my opponent could do by traveling over her territory and making stump speeches. This monthly argument I expect to continue to repeat. Thirty-five to forty thousand dollars per month is an argument in favor of the democracy that will be felt in the elections."

Singularly free from the slightest attempt at rhetorical display, Gov. Brown's speeches have been exceptionally effective. His avowal that he would not canvass for re-election placed him, if anything could, with increased strength before the state.

CHAPTER XII.

THE GUBERNATORIAL TUSSLE BETWEEN GOV BROWN AND WARREN AKIN.

The Opposition Convention called by an Extraordinary Pronunciamento.—Sharp Assaults on Gov. Brown.—Personelle of the Convention.—Warren Akin Nominated.—The Canvass of Col. Akin.—The Congressional Canvass.—Martin J. Crawford.—Gov. Brown Re-elected.—The Legislature of 1859.—Its Personelle.—Clifford Anderson, John Screven, Robert N. Ely, George N. Lester, A. R. Lawton.—Gov. Brown's Second Inauguration.—Review of Gov. Brown's Rare Administration.—Brown's Reference to Federal Affairs.—His Affinity with the Southern Side of the Slavery Question.—A Strong Message.—Tribute to Sir James Oglethorpe.—An Unerected Monument Appropriated.

THE Know-Nothing flurry was over. The name of "Know-Nothing" had been discarded for "American," and this title was becoming wearisome. The party was anti-Democratic, but at sea for a proper name. The press of that party was divided. The Macon *Journal and Messenger*, and Columbus *Enquirer* were against running a candidate. The Sumter *Republican* wanted a convention, but wished it to endorse Brown. A number, however, were for a convention, among them the Lagrange *Reporter*, Atlanta *American*, Athens *Watchman*, Bainbridge *Georgian* and others. The central executive committee of the American party, composed of J. H. R. Washington of Macon, J. W A. Sanford of Milledgeville, J. M. Calhoun of Atlanta and Foster Blodgett of Augusta issued an address declaring that they did not deem it advisable to call a convention of the American party. They, however, arraigned the Democratic party for a "series of unparalleled abuses and frauds upon the American people;" and enumerated among these the "Kansas swindle," squandering the public money, encouraging sectional feuds, conniving at Mormon protection and electing an abolition Governor over a Southern state. The evils connected with the naturalization of foreigners would be corrected in due time. To hurl the corrupt democracy from power was the high public duty of the day. The committee therefore called an OPPOSITION CONVENTION to meet in Milledgeville the third Wednesday in July, 1858, to consist of delegates chosen without respect to political antecedents, provided they were opposed to the party in power. This remarkable pronunciamento, one of the most

astounding political documents ever issued, wound up with these words, "Our word for it, we shall be able to organize such a party as will not only correct all local abuses, but rout the plunderers, and save the national government of our fathers from demoralization and ruin." This formidable fulmination of a bewildered committee representing a shattered and floundering party organization, occasioned a flood of raillery from the Democratic press of Georgia. Grandiloquence, bombast, last splutter of the wet powder pyramid, possum party, womble-cropped family, conglomerated, ring-streaked, were some of the ridiculing phrases that found vent against this amusing manifesto.

The Savannah *Republican* was the most savage of the opposition press against Gov. Brown. It flamed out ferociously against him. It called him "that inflated little demagogue Joe Brown," that flapped his wings like "a bantam cock;" said he was "disgustingly puerile" in his speech in the convention; that an "ass" would rule the people of Georgia as well. These terms were somewhat different from the polished encomiums of the eloquent Jackson. The Milledgeville *Recorder*, the organ of the opposition party candidly owned that Gov. Brown "has done well and deserves the thanks of the whole people of Georgia." Thus divided among themselves, the opposition were undecided what to do. There was one controlling reason why the organization under some name should be kept alive, and this was that in several congressional districts they could secure congressmen. The convention was called by the central committee in July in Milledgeville. The Savannah *Republican*, in bitter opposition to Gov. Brown, insisted that the opposition convention should not meet in Milledgeville, because Brown had been nominated there. A call was issued for Macon, and the convention met there and adjourned until the 10th of August, 1858, in Atlanta. The re-assembling of the convention in Atlanta was during a wet, gloomy spell of weather, that typified the spirit and the prospects of the party it represented. Hon. D. A. Reese was chairman of the convention. A business committee consisting of C. H. Hopkins, Jonathan Davis, R. P Trippe, B. H. Hill, Dr. H. V M. Miller, Dr. R. D. Winn, David W Lewis, John Milledge, was appointed. Messrs. Trippe, Winn and Lewis not being present, their places were filled by Peter W Alexander, Mr. Gibbs of Walton and Miles W Lewis. Dr. Miller, the chairman of the committee, reported that the committee had failed to agree as to the propriety of nominating a candidate for Governor, and desired to refer the matter to the convention.

A spirited scene occurred in the body over this matter. Col. W F.

Wright of Newnan, who was running for congress against Col. Gartrell, let it out that in the event the convention decided to nominate the committee had determined on the man. Mr. Alexander wanted the vote of the convention to be by counties and not by delegates. These two matters created quite a disturbance. Both Mr. Alexander and Col. Joshua Hill of Morgan charged upon Col. Wright a blunder in divulging the action of the committee. The confusion was very great. One delegate whose name is not given in the proceedings threw a bombshell in the stormy assemblage by saying that "he had supposed all along that the question was *not who they should nominate, but who they could get to take the nomination.* If they could get a responsible man to take it, he thought it foolish to waste any more time in determining how it was to be given to him."

After a tumultuous time the convention voted to have a nomination and the committee reported the name of Col. Warren Akin of Cass county, now Bartow, for Governor. The committee to notify Col. Akin of his nomination was James Johnson, John Milledge and Cincinnatus Peeples. Col. Akin accepted the nomination in a brief letter that contained no enunciation of policy, but declared that he would not be able to canvass the state. This he re-considered afterwards, however, and he did make a series of speeches.

Col. Warren Akin at this time had not been prominent, in state politics, though he had considerable local reputation as a very able and successful lawyer. He was a self-made man, possessing decided ability, and very effective speaking power, and as much purity of private character as any public man we have ever had in Georgia. He was a local methodist preacher. Col. Akin was rather a small man in physique, but had a voice of remarkable compass, both shrill and deep, with peculiar ringing quality in its high notes. He had unusual fervor and sincerity of conviction and earnestness of character. He could not be called a popular gentleman, on account of a certain unyielding vigor, and a forcible impatience at what he condemned. As a laborious student, in a clear comprehension of the law, and in strong argument, Col. Akin had no superior, and few equals in his circuit. No man in his section enjoyed a larger share of individual and public esteem than he, and his selection to lead the forlorn hope of the opposition was a deserved tribute to his worth and ability. He was afterwards elected to the confederate congress, and made merited reputation in that field.

He was a strong speaker, but in his canvass he was not at a proper advantage. He was principally confined to a warfare upon Gov.

Brown's administration, and that had been too good a one to admit of successful assault. He traversed the state, making as much of the canvass as any one could have done. The opposition press settled into a very bitter and slanderous war upon Gov. Brown, assailing him with detraction and scandal. Gov. Brown staid in his office quietly discharging his executive duties, and letting the democratic press and the people fight his battle. Col. Akin made a gallant but an unavailing campaign. He had no hope of success, nor did the sensible men of his party. He made much reputation in the state for eloquence and ability, but he gained no votes from Brown. On the contrary, Gov. Brown increased his previous majority of something over 10,000, to over 22,000, or more than doubled it. In Brown's own county, Cherokee, and Akin's own county, Cass, as well as in Baldwin, that had never given a democratic candidate for governor a majority, Brown obtained majorities.

Mixed with the gubernatorial canvass was the congressional campaigns. The democrats had nominated Peter Love, Martin J. Crawford, Alexander M. Speer, Lucius J. Gartrell, John W H. Underwood, James Jackson, R. G. Harper, and Jenks Jones. Mr. Stephens had retired from public life, and Jenks Jones of Burke was the democratic nominee in his place. Against these gentlemen the opposition party was running J. McIntyre; against Crawford, Gen. Bethune and Mr. Douglass; Thomas Hardeman, Jr., W F. Wright, —— Shackelford, —— Lytle, Joshua Hill and Ranse Wright. The opposition elected Hardeman and Hill by small majorities. Three of the democrats reelected had made high reputation, Martin J. Crawford, James Jackson and Lucius J. Gartrell. All of these had delivered eloquent speeches in Congress, that had attracted much attention. Mr. Gartrell was a large, powerful man, robust, hearty and full of animal spirits, a bold, buoyant declaimer, and a ready debater. Crawford and Jackson were both slender, nervous men, but of intellectual vigor and earnest speakers. Crawford has, all of his life, been marked by a dry vein of exquisite humor, and a keen, practical wisdom that have made him not only an entertaining companion, but a man of strong influence. Jackson, of the two, was the most fervent orator. No man in the state has been more free from partisanship, whether political or personal, than Crawford. It is a little curious that three of the gentlemen, conspicuous in that congressional canvass of 1859, Crawford, Jackson and Speer, now occupy the supreme bench of Georgia, in this year 1881, and constitute a very able court. Mr. Speer was defeated, but he has from that day to this

been an influential public man, especially noted for practical ability and a genial disposition. Mr. Jenks Jones is still living in Burke county, one of the honored and influential citizens of that fine old county, a lawyer of ability, and a gentleman of great local power.

The Legislature convened in November. It was overwhelmingly democratic. Of those who had so vigorously fought the bank veto of Gov. Brown, few had been re-elected. The House included among its leading members, Clifford Anderson of Bibb, Julian Hartridge and John Screven of Chatham, George N. Lester of Cobb, R. N. Ely of Dougherty, T. W Alexander of Floyd, R. L. McWhorter and M. W Lewis of Greene, J. L. Harris of Glynn, D. W Lewis of Hancock, I. Fannin of Morgan, C. J. Williams of Muscogee, William Gibson of Richmond, and S. J. Smith of Towns. The speaker elect was Isaiah T. Irvin of Wilkes county. Among the brightest of these men was Julian Hartridge of Savannah, a very ornate and eloquent speaker and brilliant lawyer, who afterwards became a congressman and died in congress. His colleague, John Screven, was a son of Dr. James P Screven of Savannah, who was the chief founder of the Atlantic and Gulf railroad, in which the state took a million dollars of stock. Col. John Screven is still living, a stately, slender gentleman of delightful address. He was for years mayor of Savannah, and succeeded his father as president of the Gulf road. Two members of this general assembly, by a curious coincidence, have held the position of Attorney General of the state under the present executive Gov. Colquitt, Robert N. Ely and Clifford Anderson. The administration of Mr. Ely as Attorney General, has been a conspicuous success, being especially noted for his collection of nearly a quarter of a million of back taxes from the railroads. Col. Anderson is a large, dignified gentleman of high ability, and a graceful, strong speaker. Col. Anderson was a member of the confederate congress, as also was George N. Lester. Mr. Lester has been Judge of the Superior court, and was defeated candidate for congress in the hot contest in the 7th district, in 1878, with the famous Parson Felton. Few men have equaled Judge Lester on the stump. Thick-set and solid in figure, with heavy, massive, homely features, bearded to the very eyebrows with dense black whiskers, with a voice of remarkable sweetness and power in its low tones, with an inexhaustible fund of humorous anecdotes, and an inimitable humorous way of telling them, with a fine sonorous flow of words, and especial capacity of pathos, this gentleman is a rare talker on the hustings.

The Senate, which was an enormous body, comprising 132 senators,

was an unusually able council. L. H. Briscoe, Phil Tracy, Peter Cone, A. S. Atkinson, Alexander R. Lawton, A. T. Hackett, Daniel S. Printup, Thomas Butler King, Geo. T. Bartlett, Harrison W. Riley, R. Spalding, R. P Trippe, Hines Holt, George W Jordan, T. L. Guerry, Clement A. Evans, W S. Wallace, W W Paine, James L. Seward, Edward A. Flewellen and William A. Harris, were in this senate. Philemon Tracy of Macon, was a most brilliant and promising young man, who died early. A. T. Hackett is at present a state senator, a ready speaker. Col. D. S. Printup has amassed a large fortune by successful practice of the law. George T. Bartlett has been a judge of high repute. Old Gen. Harrison W Riley was a character, an illiterate man, but a local king, an odd, burly, shrewd old fellow, long since dead. Clement A. Evans brilliantly distinguished himself as a Brigadier General in the confederate army, and is now a shining light in the Methodist Georgia conference—a preacher of great power and piety. George W Jordan still continues to come to the legislature from Pulaski county, when he wishes. The strongest man in this legislature was probably Alexander R. Lawton of Savannah, who has frequently represented Chatham county in the Legislature, who was afterwards Quartermaster General of the confederacy, and who recently was defeated by Joseph E. Brown for the United States Senate. Gen. Lawton has been a force in Georgia for the last twenty-five years. His erect, solid, sturdy, well-set figure and fine, open resolute face, well typify the man, intellectually and morally. His clear intelligence, intrepid firmness, unwavering truth, straight-forward candor, unpretentious simplicity, blended dignity and politeness and business energy and promptness have made him a person of growing public influence. Hon. T. L. Guerry was elected president of the Senate, and F. H. West secretary.

Gov. Brown was inaugurated and entered upon his second term as the Executive of Georgia under circumstances peculiarly auspicious. He had made an adminstration especially original and salient. He had ripened from being unknown into a state influence and political power unprecedently rapid and potential. He had received a popular endorsement absolutely conclusive. He was enthroned in the public confidence. His ability, practical judgment, energy, immovable will, fearless courage, sagacity and devotion to the public interest, had all been shiningly shown and tested. He had performed great and undeniable public service. He had reduced the rate of taxation from nine cents to six and one half cents on $100. He had brought up the State railroad from a condition of almost entire unremuneration to where it had paid over

$400,000 in a single year, into the state treasury, to relieve the tax burdens. He had established a school fund of $150,000 a year. He had canceled an extra $100,000 of the public debt beyond what was due. He had been the direct means of hedging in a latitudinarian banking system with safeguards and restraints that to this day are preserved. He had vindicated the independence of the executive department of the state government from legislative encroachment. He had fearlessly inaugurated the practice of a true civil service policy. He had instilled into every branch of the state administration a healthy activity and official responsibility. And the people knew and credited him with his valuable work. His position at this time was a proud one. He stood upon a splendid vantage ground of popular influence. He had attained this power by his own unaided brain and resolute will. And from this time on he was destined to be the master spirit in Georgia affairs, holding his firm rule through all the tumultuous phases of a great strife, and amid every shifting change of personal influence.

His inaugural address was a practical, characteristic emanation. Alluding to the fact that he had become Governor the first time in a period of trouble and distrust, he modestly said that he had tried to meet his official responsibilities conscientiously. The people had passed their verdict upon his administration. He then entered into a brief review of the present condition of the State, making an eloquent summary of the resources and advantages of the commonwealth. Amid all of this sunshine and prosperity, however, there was a cloud upon the northern horizon that portended evil. He thus clearly stated the national issue pending.

"Our fathers consented to enter the confederacy of these states only upon terms of perfect eqnality; and we, as their sons, wonld be unworthy of our sires, if we consented to remain in the confederacy a day longer than this principle of equality is recognized. Prompted by ambitious leaders, who are willing to sacrifice their conntry for place and power, a majority of the people of the northern states have formed themselves into a great sectional, political party, which virtnally denies our equality in the Union."

Proceeding to state that in the great presidential contest of 1860, soon to come, the issue lay between the Black Republican and Democratic parties, he thus concluded:

"I love the union of these states, and am prepared to make every reasonable sacrifice to maintain it, so long as it does not violate the rights of my native South. But should the two come into conflict, I love the rights of the South *more*, and am prepared to defend them at *any* sacrifice and at every hazard. In the present condition of affairs I would advise the citizens of Georgia to stand united with the National Democracy, so long as they continue to stand by her rights, and to protect them in the Union. But should this

organization be broken down, and her constitutional rights be denied, and her equality in the Union destroyed, I would then advise her citizens to strike for independence out of the Union—and to pledge each other, 'their lives, their fortunes, and their most sacred honor,' never to forsake each other till triumphant success shall have crowned their efforts. My fervent prayer to Almighty God is, that this necessity may be averted,—that wisdom, moderation and justice may control all our National and State councils—and that the rights of the States, and the Union of the States, may be thus perpetuated."

The concluding expressions of this inaugural were the outcome of the national situation in politics, and betokened the dangerous temper of the southern people at that time, but a little more than a year before the great civil war of the century. Gov. Brown's utterances were significant, and emanating from that source, were full of portent. He was not a man to utter meaningless words. He was a singularly true exponent of the controlling popular sentiment, and has been all of his life. A subtle sympathy with the masses added to extraordinary common sense methods has made him a natural born, popular leader. In the premonitory phase of the great conflict that began in 1861, Gov. Brown was in profound affinity with the southern side of that important moral and political convulsion. He represented two especial and practical characteristics of southern spirit, the intense state's rights conviction, and the decisive purpose to enforce that conviction. This matter will be more fully touched upon a little farther on, but at the present the narrative of state affairs will be resumed.

Gov. Brown's second annual message was an entirely practical document. It contained some of those business-like suggestions that his common sense intelligence was ever deducing from actual experience. And they were made in that direct, unmincing sort of way that belonged to the man. There was no circumlocution, no red-tape diplomacy in Gov. Brown's official utterances. He went directly to the pith of matters, and dealt with facts without ceremony. In his views he was governed by no consideration of the majesty of a coördinate branch of the state government. There was no glamour of official authority that affected him. He attacked what he conceived to be an error or a wrong practice in the General Assembly, and asserted what he conceived to be a constitutional prerogative of the Governor's office in a fearless and frank manner, and without any punctilious palaver of etiquette. He was a homespun man of business, doing what he deemed his duty careless of opposition or consequences. He rasped in his message what is to-day, and has always been, an evil practice of legislatures, viz., neglecting the earlier part of a session, and hurrying business at the close, resulting in hasty and inconsiderate legislation. He also attacked

another chronic practice of legislation, demanding reform, and which the new Constitution of 1877 endeavored to correct,—trivial class and local action. He took ground against the expensive multiplication of new counties which had become a nuisance. He urged the reduction of the Senate from its unwieldy size. He assaulted the costly clerk system of the legislature, which had become an onerous pecuniary burden to the State. His entire message was full of plain, sensible recommendations in regard to the judiciary, education, militia, etc. Among other valuable suggestions he urged what has since been commenced, a mineralogical and geological survey of the State. He was then an ardent advocate for state aid in developing the resources of the commonwealth. His views on education, as can be supposed, were liberal and broad. All of his messages and inaugurals pressed the enlargement of free educational facilities for the people.

During his first term Gov. Brown had used the veto power more freely than any Governor in the state's history. His enemies had attempted to impair him in the public estimation for this. In his message he made a brief allusion to his exercise of the veto power, in which with a few sharp sentences he shattered these assaults. The constitution had assigned to the Governor certain powers and duties as well as to the General Assembly, and the people should hold himself responsible for the independent exercise of those powers. The revision of bills passed by the legislature was a constitutional power of the Executive. If the Governor out of mere respect for the General Assembly signed bills his judgment did not approve, he denied to the people the exercise of that executive revision which under the constitution they had a right to demand as a protection against hasty or unwise legislation. And the Governor went on with his vetoes. He vetoed a bill relieving a surety on a criminal bond; a man standing between the law and a criminal must take the consequences. He vetoed a bill granting a divorce to certain parties; divorces belonged to the courts. He vetoed a bill giving to certain minors the privileges of adults; the law fixing twenty-one years as legal maturity is a wise one, founded on the experience of ages, and it is safe to adhere to it. He made other vetoes, but all of them based upon clear, sound reasons of law or public policy, and evincing the vigilant care and unyielding decision that he brought to the discharge of his executive duties.

The session of 1859 elected Hon. R. F. Lyon and Linton Stephens judges of the supreme court in the place of Henry L. Benning and Charles J. McDonald. Judge Lyon was almost wholly without speak-

ing ability as a lawyer, but he was an able counselor and gentleman of fixed views. He is still living and in the practice of his profession. The abolishment of imprisonment for debt was a subject of discussion by this Legislature. The following resolution passed the House, but seems not to have been acted on farther, and is a tardy tribute to the man it honors:

"*Whereas*, it has been customary from time immemorial with all civil and enlightened nations to honor the memory of their illustrious and noble dead, and emblazon their deeds in marble or brass for coming posterity, it is therefore but right and proper for us as Georgians, and the dictates of patriotism and a grateful people demand that the life, memory and character of the illustrious founder of our great and growing state, should be rescued from the darkening shade of oblivion; therefore be it

Resolved, That the Governor be authorized and requested to have erected in the capitol yard a handsome, elegant and appropriate marble monument to the memory of the illustrious founder of our state, *Gen. James Oglethorpe*, who combined in his life and character the great and noble qualities of a soldier, scholar, statesman, philanthropist and christian."

CHAPTER XIII.

A HOT CHAPTER OF GATHERING REVOLUTION.

The Drive to Disunion.—Yancey's "Leaguers of the South."—Alec Stephens Retired.—Toombs' Disunion Speech.—Senator Alfred Iverson's Griffin Disunion Speech.—Alec Stephens' Union Speech of Farewell at Augusta.—The two Utterances a striking picture of Contrasts.—The Disastrous Political Effect on Iverson.—The John Brown Raid, and the Georgia Legislature's Burning Resolutions.—The State Aflame.—Two State Democratic Nominating Conventions in Georgia to send delegates to the National Democratic Presidential Convention at Charleston.—The Split of the Georgia Democracy.—Howell Cobb and Alec Stephens, Presidential Timber.—Cobb endorsed by one Convention, and not by the other, withdraws.—The Delegation to Charleston.—Personelle of the Georgia Conventions.—A Succession of Exciting Events.—Another Great Speech of Mr. Toombs.—"Pull Down the Pillars and Bring a Common Ruin."—Georgia the Dominant Factor in the Revolution at hand and Toombs its Genius.

DURING the year 1859 the great conflict between the North and South was steadily maturing. Public sentiment in regard to slavery was in an inflamed and inflaming condition. The popular pulse tingled at the very mention of the subject. The Black Republicans of the North were avowed in their purpose to crush slavery. We had in the South bold open disunionists. In Alabama an association had been established by the Hon. William L. Yancey, called the "Leaguers of the South," the motto of which was, "A Southern Republic is our only safety." Alexander H. Stephens, the most conservative leader of the South, bade farewell to public life, and thus was eliminated from the national councils the most prudent, influential and eloquent union power we possessed. Mr. Toombs long before had made a burning speech in the United States Senate that thrilled the country, in which he daringly declared that unless the aggression upon slavery and the rights of the South ceased, he was for Disunion. The Supreme Court of the United States had decided in the celebrated Dred Scott case that there was no difference between slave property and other property, and a Territory could not discriminate against slaves. Mr. Douglas had planted himself upon the famous "squatter sovereignty" doctrine, which claimed the right of Territorial legislatures to determine the question of slavery in the Territories. Mr. Douglas was bitterly abused by

a large portion of the Southern Democrats for this doctrine, while Mr. Buchanan was denounced by those who sustained Mr. Douglas.

Senator Iverson came home and made a lengthy speech in Griffin, Georgia, on the fourteenth day of July, 1859, that created intense and acrimonious discussion. It was a most aggressive Southern Rights speech. His slogan was, "Slavery, it must and shall be preserved." He denounced the Missouri Compromise which, "to save the union," had divided the national territory into "free" above and "slave" below a certain line of 36° 30′ He denounced the Wilmot Proviso, which was to shut out slavery from all the territory acquired from Mexico. He denounced the famous Compromise measures of 1850, which provided for the admission of all new states, with or without slavery, as their Constitutions might prescribe. He declared "all lost at the North," and the Northern Democracy "paralyzed and powerless." He denounced the Kansas bill which made Kansas a free state. He had once embraced the "squatter sovereignty" heresy, but he now repudiated it, and declared that it was the duty of Congress to protect slavery in the territories. Reading this speech of Mr. Iverson in the light of events since, it was profoundly prophetic. He declared that 1861 would witness the inauguration of a free soil President, and he boldly announced that the election of such a President he should consider a declaration of war against slavery, and be in favor of separation and the formation of a Southern Confederacy. He was in favor now of a square defiance to the abolition party, a repudiation of all compromises, and a distinct unconditional demand for the equality and protection of slave property everywhere.

This speech was widely circulated and heatedly discussed. Mr. Iverson was charged with pandering to extreme Southern prejudice to get re-elected to the senate. Mr. Stephens but a few days before made his well remembered speech in Augusta, in retiring to private life, in which he had declared that the great questions of difference between the North and South he considered honorably and finally settled, and the country was in a most prosperous condition. He declared that slavery was firm and secure; that it was getting stronger and will continue to get stronger. He declared the compromise of 1850, which opened the territories to slavery and left them free to all, was a grand triumph of constitutional equality. He did not believe that we would have much more slave country without an increase of African stock. Mr. Stephens wound up with this tribute to the Union: "With our common country I leave like good wishes and the earnest hope for undisturbed peace and

prosperity, and that our institutions unimpaired, national and state, may long continue to bless millions, yet unborn, as they have blessed us."

It would be difficult to conceive of two utterances of public view and policy so utterly and absolutely antipodal as these speeches of Mr. Stephens and Mr. Iverson. Mr. Stephens saw an era of peace, prosperity, order, the triumph of slavery and the South, and settled principles and a fixed Union. Mr. Iverson read in the public aspects, sectional strife, hopeless conflict of interest, the victory of abolitionism, continued aggressions and internecine struggles with the horror of Disunion which he demanded in preference to Mr. Stephens' settlement. It is bootless now to enter into any comparison of the conflicting views of these two distinguished and able public men. Both were right in some things, and both wrong. No fallible human intelligence, however strong, can grasp the great plans of a Divine Providence. The mighty convulsion that was to end in the utter uprootal of slavery was swiftly culminating. Under the ordinary human judgment, Mr. Stephens seemed right, and the general Georgia and Southern public sentiment concurred with him. Mr. Iverson was generally condemned, and there is little doubt that his radical disunion speech lost him his re-election as United States Senator. He was marvelously and prophetically right in many things. He did not exaggerate the truth when he said that there could be no compromise with abolitionism, and there would be no let up in its war upon slavery. He saw with amazing correctness the nature of the crusade against the slave institution, and he portrayed in wonderfully accurate words the drifting portents of the times. He diagnosed the coming storm clearer than his more generally sagacious contemporary. The earthquake was at hand, and he foretold it with a wise wit. He was wonderfully right in another thing. Compromises had but postponed the day of a square fight for slavery. The true Southern policy was to have met the issue at once, and fully to have resisted concession at the beginning. The battle had to come for its existence. It would have been wise and politic to have maintained its proud and vital equality against every assault. Concession but strengthened the enemy. But Mr. Stephens was grandly right in his essentially wise and correct judgment that the proper place to fight abolitionism and defend slavery was IN THE UNION. Every advantage was given the North in leaving it the name, the memories, the glory, the organization and sacred power of the Union. The Southern people were with Mr. Stephens then. Less wise and firm than he, they did not stay with him when the hour of passion was upon them. And

strange, most strange inconsistency, they repudiated Iverson and his policy at its very suggestion, and followed his policy when the contingency he predicted came, and disregarded the counsel of the wiser Stephens. Iverson was for disunion if a sectional free soil president was elected, and the State of Georgia condemned the man and denounced the suggestion. When the event happened, in accordance with his prediction, they followed his counsel, though they had buried politically its author. It was a comical yet a pathetic political incongruity.

But none the less did Senator Iverson's speech demonstrate the dominant possibilities of revolution alive and flaming unconsciously yet powerfully, and growing swiftly in the Southern heart, and working out mysteriously the colossal purposes of Providence. Mr. Toombs, in response to an invitation, made a speech in Augusta, September 8, 1859, which was a careful, exhaustive and masterly review of the whole subject of federal legislation upon slavery, in which he, notwithstanding the squatter-sovereignty views of Mr. Douglas, from which he differed, declared his preference for him. Mr. Toombs also took position against putting a plank in the Democratic platform demanding the protection of slavery in the Territories. While he believed in the right of Congress to do it, he was against the exercise of the power. This speech was a remarkably conservative one.

There occurred at this time an incident that stimulated sectional passion to fever heat. Old John Brown, or, as he was better known, Ossawattamie Brown, of Kansas notoriety, organized a slave insurrection at Harper's Ferry, Virginia. Both the Governor of Virginia, Henry A. Wise, and President Buchanan promptly acted in suppressing the matter. This occurrence was like the application of a lighted match to a powder magazine. It inflamed the whole country, North and South. It drove argument and reason from the public forum. The South believed that the Harper's Ferry affair was but the small part of a general abolition movement to strike down slavery. In the Georgia Legislature Mr. Hartridge offered a set of resolutions declaring the fixed determination of the people of Georgia as to their future course and conduct. Referring to the John Brown raid, they said: "Fanaticism grown bold by impunity has invoked the aid of treason, murder and rapine, has crossed the border, and, advancing upon Southern soil, has spread bloodshed and excitement throughout a Southern State." These bold words of accusation concluded with this resolve:

"The State of Georgia holds herself ready to enter into any concert of action with

the sister Southern States, which will secure their common rights under the Constitution in the Union, *or if that be no longer possible, their independence and security out of it.*"

Mr. Lewis, of Hancock, offered an amendment of bitter defiance that "We do not waive or postpone the conflict which such aggressions seek and provoke," and further, that the history of the past taught us "that it is unreasonable to expect the protection of our rights by the Federal government." Resolutions were passed thanking Governor Wise and President Buchanan for their prompt action in the matter. These official declarations of the General Assembly will afford some conception of the spirit of the people of Georgia and the crushing drift of sentiment to a dissolution of the Union and Southern independence.

The National Democratic Convention to nominate a Presidential candidate was to meet in Charleston, S. C. Already public attention in Georgia was converging to that important gathering. On the evening of the 21st of November, 1859, a large portion of the Democratic members of the Legislature met in the Representative Chamber in Milledgeville. Peter Cone presided; James J. Diamond was Secretary. Thomas F. Jones, of Newton, offered resolutions, which were adopted, calling a State Convention for the 8th of December to appoint delegates to Charleston. On the 22d of November the State Executive Committee, composed of D. C. Campbell, E. J. McGehee, Thos. P. Saffold and S. W Burney, called the Democratic State Convention for the second Monday in March, 1860. Col. Wm. K. De Graffenreid, of this committee, dissented from the committee and joined the Democratic members of the Legislature in their call for a convention for December, before the Legislature adjourned. Thus there was a conflict upon this matter. It seemed as if the unfortunate slavery controversy that was convulsing the country and so swiftly sweeping to a great upheaval of peace, was affecting everything with its discordant spirit of dissension. The strife in the Georgia Democracy became lively over this twin convention business. The practice had begun as far back as 1842 of the party members of the Legislature calling State Conventions to appoint delegates to the Presidential nominating conventions, and had continued unbrokenly up to this time. And these State conventions consisted chiefly of the members of the Legislature, who represented their counties in the convention. If counties were not represented or represented only in part in the Legislature by Democrats, such counties sent other delegates. The call of the members, therefore, for the convention of the 8th of December was in conformity with precedent, and its advocates

claimed that the Executive Committee could only attend to gubernatorial contests.

The convention of the 8th was held, but was not a full body, only 75 counties out of 132 being represented, while it was a large one. Isaiah T. Irwin was made president, and F H. West and George Hillyer secretaries. The committee on business consisted of Messrs. Seward, Deloney, Smith of Talbot, Printup, Briscoe, Smythe, Oliver, Smith of Towns, Hill, Lawton, Broyles, King, Tracy, Cone, Rice, Fulton, Jones, Ragsdale, Hutchins and Morris. The resolutions of the convention recommended Howell Cobb for the Presidency, endorsed Buchanan for his course in the Harper's Ferry affair, and

"Pledged support of the nominee of the Charleston convention upon the condition that it determines to maintain the equality of the states and the rights of the South—that we will yield nothing of those rights *for the sake of harmony*, but will demand a firm, strict and *unqualified* adherence to the doctrines and principles on the subject of slavery, and the rights of the South in the common territories of the Union, which have been recently declared by the Supreme Court of the United States."

The following delegates were elected to the national convention: From the state at large: Isaiah T. Irwin, John H. Lumpkin, H. L. Benning, Henry R. Jackson; alternates, Charles J. McDonald, Thomas Butler King, William H. Stiles, O. A. Lochrane.

The district delegates were: James L. Seward, Julian Hartridge, Arthur Hood, J. W Evans, L. B. Smith, E. Strohecker, James J. Diamond, L. H. Featherston, G. J. Fain, W T. Wofford, William H. Hull, S. J. Smith, J. M. Lamar, L. H. Briscoe, D. C. Barrow, L. A. Nelms.

Fifty-two Democratic members of the legislature published their disapproval of the action of the convention in appointing delegates to the Charleston convention and protested against the authority of what they contemptuously called the "meeting" to bind the Democratic party. Among these were William A. Harris, A. S. Atkinson, A. B. Mathews, C. J. Williams, R. N. Ely, and James S. Reed. The two members of the executive committee in Milledgeville, Col. Campbell and Dr. McGeehee, issued a temperate card stating their reasons for calling the March convention and leaving the matter to the party to ratify or disapprove. Judge Benning, Gov. McDonald, Col. Featherston and Col. Lochrane of the delegates selected, declined to recognize the validity of their appointment and refused to serve. The papers rushed into a hot controversy over the matter. A good deal of temper was shown, and considerable recrimination indulged in. Mr. Howell Cobb was charged with inspiring the late convention and molding its action in the interest

of his presidential ambition. The name of Alexander H. Stephens was sprung by his friends for the Presidency, and a decided antagonism was created between the adherents of these distinguished Georgians in connection with the glittering prize of the national chief magistracy.

Hon. William H. Stiles, one of the alternate delegates chosen, wrote a letter to the Savannah *Express* maintaining that the March convention was the only regular and legitimate one, but suggesting a compromise for harmony. His plan was for the delegates chosen to resign and the March convention to re-appoint them, and show the spectacle of a united Democracy and a united South. Hon. Howell Cobb wrote a most patriotic and characteristic letter, in which he used this conciliatory language:

"I can but repeat that my name shall not divide and distract the party. If there are a sufficient number in the Democratic party of Georgia opposed to my nominatiou, to justify the idea of serious divisions in the party, then I will unconditionally withdraw my name. This is no time for divisions in the south, and especially with southern Democrats, and any personal sacrifice, which I may be called upon to make, to ensure union and harmony, shall be cheerfully made."

And he gave this positive assurance:

"So far as I am personally concerned, a demonstration of serious opposition to my nomination from the democracy of Georgia, in any shape or form, or from any convention, would end all connection of my name with the nomination at Charleston."

The position of Mr. Cobb was a peculiar one. He had, as secretary of the treasury under President Buchanan, made a national reputation for ability and statesmanship. The objection to him in Georgia was formulated in the following words of the Columbus *Times*: "Mr. Cobb is far from being the choice of the Georgia democracy for the presidency, as *his extreme Union views are in antagonism with the prevailing sentiment in the Democratic ranks.*" And this criticism shows the tendency of public opinion to the final dissolution, and that conservative views were becoming powerless in the seething agitation.

Mr. Cobb's friends were advised by him to unite in sending delegates to the March convention, in order that the will of the party might be tested. At the various county meetings the matter was fully discussed, and the opinion was conflicting and varied. In many counties the delegates of the December convention were reappointed. A large number of counties endorsed Mr. Cobb for the presidency. A number expressly repudiated the action of the December convention. It was a warm issue and it stirred the State violently.

The March Democratic Convention assembled on the 14th, 1860, in Milledgeville. Ninety counties of the 132 in the State were represented by

203 delegates. Among these were L. H. Briscoe, L. N. Whittle, O. A. Lochrane, P Tracy, A. R. Lawton, Julian Hartridge, A. S. Atkinson, L. N. Trammell, D. S. Printup, Solomon Cohen, Geo. A. Gordon, Jno. M. Guerard, Gen. G. P. Harrison, W Phillips, R. N. Ely, J. W Duncan, C. W Styles, J. M. Mobley, J. G. Cain, Samuel Hall, T. P. Saffold, Porter Ingram, John A. Jones, P. H. Colquitt, L. J. Alred, Henry Cleveland, Claiborne Sneed, J. D. Ashton, J. L. Seward, D. N. Speer, C. J. Wellborn, George Hillyer, E. P Howell and E. R. Harden. Of these Henry Cleveland was the editor of the Augusta *Constitutionalist*, a bright writer, and who since the war has written a life of Alexander H. Stephens. Claiborne Sneed is now judge of the Augusta circuit, and has been a state representative, a gentleman of talent and force. E. P Howell is now the editor of the Atlanta *Constitution*. He was state senator for two terms, and has evinced an extraordinary aptitude for public life, and is a gentleman of great shrewdness and practicality, and is destined to wield a strong public influence. D. N. Speer is the present State treasurer.

Hon. Alexander R. Lawton was made president of the convention. The proceedings continued for two days, were stormy and inharmonious, and finally adjourned, leaving the party in the State angry, rent, and at sea. Of the ninety counties forty-seven repudiated the December convention and forty-three sustained it. Of the forty-two counties not represented in the convention, twenty-four were represented in the December convention. There were eighteen counties not represented in either convention. The forty-three counties in the March convention that supported the action of the December convention, added to the twenty-four counties represented in the December convention that were not represented in the March Convention, made sixty-seven counties, or two over half of the counties in the State that favored the December action. These figures will show how the party was split. The resolutions of the December convention were voted down, thus throwing over Mr. Cobb and leaving the party without any enunciation of principle. The same delegates at large were appointed, but the alternates were different save ex-Gov. McDonald alone; Hiram Warner, Solomon Cohen and J. A. Wingfield being the three others in place of King, Stiles and Lochrane. Four delegates from each district were chosen by the delegates of the respective districts. These were:

1st. J. L. Seward, J. Hartridge, H. M. Moore, Wm. B. Gaulden.

2nd. W Johnson, John A. Jones, Wm. M. Slaughter, Jas. M. Clark.

3rd. E. L. Strohecker, L. B. Smith, O. C. Gibson, E. J. McGeehee.

Very Respectfully
Howell Cobb

4th. J. J. Diamond, L. H. Featherston, W Phillips, S. C. Candler.
5th. G. J. Fain, W T. Wofford, James Hoge, Lawson Fields.
6th. Wm. H. Hull, S. J. Smith, H. P Thomas, A. Franklin Hill.
7th. L. H. Briscoe, Jefferson Lamar, J. W Burney, James Thoming.
8th. L. A. Nelms, D. C. Barrow, J. D. Ashton, H. R. Casey.

Alternates from the districts were also appointed. The district delegates of the December convention were all re-appointed save Arthur Hood and J. W Evans. The alternates were nearly all different. An important resolution offered by Julian Hartridge, and unanimously adopted, provided for the appointment of an Executive Committee by the President of the convention with power to call all conventions of the Democratic party of Georgia, and to exercise all the other powers belonging to such committee until another convention meets. This established the practice that has been uninterruptedly followed since of the appointment of an Executive Committee empowered fully to represent the party until another convention and the creation of a new committee. And Mr. Hartridge's resolution was intended to remedy the disastrous party difficulty, whose effects were being experienced in the existing widespread dissension. The committee appointed consisted of Porter Ingram, A. S. Atkinson, P. Tracy, C. Murphy, D. S. Printup, S. J. Smith, L. H. Briscoe, and Henry Cleveland.

The action of the convention in refusing to adopt the action of the December body urging Mr. Cobb for the Presidency, and failing to make a declaration of sentiment and policy, was a most unfortunate matter, and left a deep breach in the party. Mr. Cobb, in accordance with his published declarations previously made, addressed a letter to the President of the December convention, Mr. Irwin, unconditionally withdrawing his name from the canvass for the presidency. His letter was a very graceful and appropriate one, in admirable temper and full of patriotic feeling. While he claimed for the convention that endorsed him absolute party legality, yet he waived all question of regularity. He only regarded the party will. He frankly owned that while a majority of the state Democracy supported him, there was a decided opposition to him. The connection of his name with the nomination was calculated to produce discord where there should be harmony, and he therefore withdrew it. The letter was a model of its kind, and its noble spirit and lofty utterances, so free from the slightest tinge of irritation or disappointment, placed him higher than ever in popular esteem. He wound up with a reference to the approaching contest, in which a fanatical enemy was striving to seize the Federal government

to bring dishonor upon the South. To overthrow this enemy, and save the government and the South from dishonor and ruin, which would follow the successful inauguration of a Black Republican administration, was our duty. Union and harmony were necessary to do this, and to them he should contribute all he could with the confident hope of being fully and cordially sustained by the people of Georgia.

At this time the tendency to peace between the sections was not at all helped by a brilliant, daring and masterly speech of Robert Toombs in the United States Senate, on a resolution offered by Stephen A. Douglas directing the judiciary committee to report a bill for the protection of each State and Territory against invasion by the authorities of every other state and territory. Mr. Toombs made a terrible arraignment of the Black Republican party. He said that the country was virtually in civil war; that a large body of the Senators before him were enemies of his country, and were using their official power to assail and destroy the institutions of the states. We demand peace or war. Reviewing the action of the Republican party in regard to slavery, he asserted that the Republican hands were soiled with the blood of our constitutional compact. They mocked at constitutional obligations and jeered at oaths. They had lost their shame with their virtue. The speech was a scorching, splendid piece of invective, but it was more, it was a profound, exhaustive and unanswerable argument, welded like an iron bar. Gathering vehemence as he concluded, this audacious Mirabeau thundered these unforgivable words at his colleagues of the opposite party representing millions of Northern people.

"I denounce the Republican party as enemies of the Constitution and enemies of my country, and I shall treat them as such. I submit it to the judgment of the Senate, the country and the civilized world, if according to the public law of all civilized nations, we have not just cause of war against our confederates."

The impassioned orator then declared that with the success of the "traitorous" Republican party "peace and safety are incompatible in the Union," and concluded with these burning words:

"Listen to no 'vain babblings,' to no treacherous jargon about 'overt acts;' they have already been committed. Defend yourselves, the enemy is at your door; wait not to meet him at the hearth-stone—meet him at the door-sill—and drive him from the temple of liberty, or pull down its pillars and involve him in a common ruin."

The effect of these fiery and war-like utterances was simply indescribable. They rendered peace impossible. They frrenzied the Republicans, they enthused our own hot-heads beyond restraint. They drove on the revolution by a million-spirit power. Coming from a Senator,

spoken in the great and august forum of the national Senate Chamber representing the solemn sentiment and grand majesty of a sovereign state, they were tremendous expressions. They made a peaceful solution of the impending strife an impossibility. They made the State of Georgia the dominant factor of the strife, and the foremost and controlling agency of the Revolution. It booted little that such conservative and Union instruments as Stephens and Johnson were stemming the deadly drift. The spirit of discord was regnant. It had sundered the Georgia Democracy, and in that unhappy division had shorn the rising Cobb of his power and promise. It was not an undramatic coincidence that while Georgia was foremost in her influence in the national councils through her imperious Toombs, and was potentially stimulating the threatening disunion, she had two prominent candidates for the Presidency of the Union, the most prominent of whom she herself slaughtered. But a higher power was ruling the destinies of nations. The great revolution was at hand, and our Georgia Toombs was its genius.

CHAPTER XIV

THE FATAL SPLIT OF THE NATIONAL AND GEORGIA DEMOCRACY, IN 1860.

The Charleston Convention.—The Georgia Delegation Sundered.—A Majority led by H. L. Benning, secede.—A Minority Remain.—Solomon Cohen.—William B. Gaulden the "Lion of Liberty."—Goorgia Democracy Riven like the Delegates.—A vivid Batch of Letters on the Split from Hiram Warner, Howell Cobb, Joseph E. Brown, A. H. Stephens, Peter E. Love, Robert Toombs, H. V. Johnson and E. A. Nisbet.—Brown's cool Practical View.—The strange Reversals of Howell Cobb, and H. V. Johnson.—The Constitutional Union Convention.—Its personelle.—The Democratic Convention.—Its Personelle.—A Volcanic Session and a Burst up.—A National State Democratic State Convention organized.—Two sets of Delegates to Baltimore.—Discord Rife.—The Dismion Drift Irresistible.—The Baltimore Convention.—Georgia Refused to go in.—Douglas and H. V Johnson Nominated.—The National State Right's Convention organized.—Breckenridge and Lane Nominated.—The Deadly Work Done.—The Democracy in Fragments and the Revolution Sure.

STARTLING events sped swiftly in Georgia, as in the Union, in this crucial year of 1860. The Charleston Convention met on the 23d of April and continued in turbulent session until the 2nd day of May, when it adjourned without making a nomination, to reassemble in Baltimore on the 18th of June. Some 57 ballots were taken, Mr. Douglas leading with 152½ out of 319, but unable to get more. The platform was hotly contested. Three reports were made by the committee on platform. One was the majority report made by the members of fifteen Southern states and the two states of Oregon and California, being seventeen of the thirty-three members of the committee. This report presented the Cincinnati platform with some additional resolutions declaring the equal right of slave property in the territories and the duty of Congress to protect it. The Cincinnati platform declared for non-interference by Congress with slavery in the territories. The majority report went beyond the Cincinnati platform in declaring it the duty of Congress to protect slave property in the territories. Two minority reports were presented, one offering the Cincinnati platform with some resolutions simply condemning interference with the fugitive slave law, but leaving out the protection of slave property in the territories. The last minority report was adopted, which was the squatter sovereignty programme

of Mr. Douglas. On the defeat of the majority report and the adoption of the minority report, the delegates of Alabama, Mississippi, Florida, Louisiana, Arkansas, Texas and a part of those from Delaware, seceded from the convention under lead of William L. Yancey of Alabama. The Georgia delegation obtained leave to retire, to consult as to their course, and split into fragments. A majority, consisting of Junius Wingfield, Henry L. Benning, Henry R. Jackson, J. M. Clark, William M. Slaughter, John A. Jones, D. C. Barrow, J. J. Diamond, A. Franklin Hill, E. L. Strohecker, O. C. Gibson, H. P. Thomas, P Tracy, J. M. Lamar, E. J. McGeehee, George Hillyer, Mark Johnson, E. R. Harden, J. H. Lumpkin, J. G. Fain, James Hoge and W J. Johnson, withdrew from the convention as a duty, as they declared. I. T. Irwin, W H. Hull, L. H. Briscoe and Julian Hartridge withdrew in obedience to the vote of the majority. The balance of the delegation remained to share in the proceedings, consisting of Solomon Cohen, Hiram Warner, J. W Burney, William B. Gaulden, James L. Seward, James Thomas, S. C. Candler, J. A. Render, L. A. Nelms, and Henry Cleveland.

Mr. Solomon Cohen made a speech explaining his position. Mr. Cohen was a leading citizen of Savannah, who was at one time Postmaster, a gentleman of high social standing and considerable speaking ability. He and his colleagues, while in sympathy with the seceders in principle, remained behind hoping that a better spirit might prevail and justice be done to the South by the Northern Democrats. Mr. Montgomery of Pennsylvania, replied that he was willing for the Southern members to retire, if they wished, and that the majority of the convention had made up their minds and would not change. Upon this Col. Wm. B. Gaulden, who enjoyed the soubriquet of the "Roaring Lion of Liberty County," arose and made a speech that convulsed the convention with laughter. He denounced protection to slavery as a humbug, and said he intended to stand by his Northern brethren until the last day, late in the evening. He then branched into an unqualified support of the African slave trade. But the fragment of the delegation were not permitted to vote, on the ground that the state delegation was instructed to vote as a unit. Mr. Seward had previously attempted to cast his individual vote, and the resolution of the Georgia Convention upon the matter had been discussed, and the unit rule had been declared to apply to the Georgia delegation. Mr. Cohen vainly protested against the disfranchisement and denounced it as a usurpation.

The seceding members of the Charleston Convention, including most of the majority part of the Georgia delegation, formed a separate con-

vention, and called a Convention for the 2nd Monday in June, in Richmond.

The course of the Georgia delegation created a profound feeling at home. The minority of the delegation issued a brief card explaining their course, and stating that they did not feel at liberty to bolt the convention and disrupt the party. The majority published a more lengthy address, signed by Henry L. Benning, the chairman of the delegation, elaborately arguing the whole question. They wound up this very able paper with the statement that some of the Northern delegates had shown a disposition to modify the platform, and there was some hope of this. They advised that a State Convention be called, and that such convention appoint delegates to both the Richmond and Baltimore conventions. The Executive Committee of the party issued a call for a state convention to assemble in Milledgeville, the 4th day of June. A number of gentlemen of Macon, Robert Collins, John J. Gresham, James W Armstrong and others, addressed a letter to the leading public men of the State, expressing alarm at the rupture of the Charleston Convention and asking their views of the situation. Replies were received from Hiram Warner, Howell Cobb, Joseph E. Brown, A. H. Stephens, Peter E. Love, Robert Toombs, H. V Johnson and Eugenius A. Nesbit.

Judge Warner had been one of the staying delegates in the Charleston convention. His letter was an incisive one. Believing the democratic organization of the Union to afford the best guarantee for the preservation of our rights, he resisted Mr. Yancey's bold attempt to destroy it. Believing also in the doctrine of congressional non-intervention, and having thought the Cincinnati platform a good one in 1856, he deemed it a good one in 1860, and declared the bolt from the Charleston convention to have been based upon a *flimsy pretext.* Howell Cobb fully endorsed the action of the seceding delegates, and said that the democracy of the state should sustain them. Every state whose delegates were for the majority platform was a democratic state, and the other sixteen states were republican. The nomination of Mr. Douglas he condemned. He suggested a state convention that should reappoint the same delegates to go to both Baltimore and Richmond, and advised a postponement of the Richmond convention until after attempt was exhausted at Baltimore to unite the party. The letter of Mr. Stephens was such an one as might be expected from him, calm, dispassionate, firm, statesmanlike. He argued that non-intervention had been the established policy of the party. He had not favored it originally, but had

acquiesced in it, and now thought we should abide it. A convention should be called and delegates sent to Baltimore. The demand of the seceders should be withdrawn and nomination of a good man made. If we were determined to quarrel with the North on general account, base it on the aggressive acts of our enemies and not the supposed shortcomings of our friends. He repeated his previously expressed views of the impregnability of the slave institution. Mr. Toombs wrote a characteristic letter, short, pithy, snapping like a pistol shot, with considerable moderation ostensibly, but holding the sword in a gloved hand. The seceding delegates should meet at Baltimore with the adjourned convention and endeavor to affect an adjustment. If this adjustment could not be made the Richmond convention could be held with clearer light for its guidance. If such a policy as he urged met with any considerable opposition in Georgia, let a party convention be called to take action. The reserve hostility of this sententious letter was seen, however, in the significant acknowledgment that he was purposely yielding nothing, with the ultimate idea of demanding everything, and the unqualified declaration that, he never could give his assent that there was any rightful power anywhere to exclude slave property from the territorial domain. He wound up with the suggestive and pregnant sentences:

"*Our* greatest danger, *to-day, is that the Union will survive the Constitution.* * * * Look at the preservation of your rights. The Union has more friends than you have, and will last as long, at least, as its continuance will be compatible with your safety."

Mr. Love would not have advised secession, but did not condemn the seceders. The seceders should go back to Baltimore and try to harmonize. Ex-Gov. Johnson's letter was a long and able one, a model of rhetoric and argument. He took the same view that Mr. Stephens did. Non-intervention was the accepted policy of the party. A demand for intervention was unnecessary, while intervention was valueless and of questionable right, and doubtful policy. He had opposed the compromise of 1850, but he was now for sticking to it. It was a matter of honor to stand to the compact. He advised calling a convention to determine our policy, and send delegates to Baltimore. Let us save the national democracy to destroy Seward and his myrmidons. Judge E. A. Nesbit wrote a most positive, out-spoken letter and a strong one. He condemned the action of the seceders, and repudiated the Richmond convention. He asserted that some of the bolters of the other states had purposely seceded to split the party and disrupt the Union. He was against intervention as inconsistent, in bad faith, dishonorable, crip-

pling to the northern democracy, unsound in constitutional principle, carrying the dangerous right to strike down slavery, and unavailing. He urged a convention and sending delegates to Baltimore, regardless of the Charleston action, to harmonize the party

The letter of Joseph E. Brown was just such a cool, clear, practical common-sense, conclusive view of the perplexing subject as might have been expected from the man. It embodied a simple solution of the problem in his plain business way. Ascribing the discord to the personal ambition and animosity of leaders, and claiming that the masses of the Democracy were true to the constitution, both North and South, he proceeded to discuss the situation. Making no reflection upon the Georgia delegates who seceded or those that remained in the convention, he ascribed good motives to both, and believed that the difference properly used could be turned to benefit. As an abstract question, he believed in the right to protection of slave property in the Territories. The wisdom and utility of making an issue on it was another question, and it would seem to be wise to wait until an occasion rises, which might never happen, before making such an issue. The Democratic doctrine heretofore had been *non-intervention* by Congress. The trouble now was over an attempt to put a new plank in the platform of the party. Men might honestly differ on the expediency of such an innovation. It had been said that the Democratic construction, North and South, was different on the Cincinnati platform. The answer to this was that the Supreme Court in the Dred Scott case had decided the principle, and the Northern wing of the party was willing to recognize the decision of the Supreme Court as the correct exposition. This should be a satisfactory settlement of the issue. He urged a State Convention of men of age and experience, to discuss and decide the matter without passion or crimination. Let delegates be sent to Baltimore and accept the Cincinnati platform with the additional resolution that the Northern Democracy was willing to offer, recognizing the binding force and correct exposition of the Supreme Court decision, or something similar, and the trouble would be healed. The Democratic party alone presented any hope for the South in the contest with the Black Republican party, and we should cling to it. It will be time enough for the Richmond Convention when harmony at Baltimore on the ground indicated fails.

These were a masterly vivid group of letters, and strangely variant. There were some curious changes indicated by them, the most notable being that Howell Cobb and Herschell V Johnson, who had been in

1850 so opposed, Cobb being the Union representative and Johnson the pronounced Southern Rights champion, had completely reversed positions. Cobb was the Southern Rights advocate, and squarely defending the seceders from the Charleston Convention; while Johnson condemned them and stood the Conservative exponent. Douglas and Buchanan were very hostile, and Cobb, as a member of Buchanan's Cabinet, naturally antagonized Douglas and his platform. It was at the time charged that the Presidential aspirations of both Cobb and Johnson somewhat controlled them in that exciting crisis.

The conflict of opinion among the leaders was the outcome of the popular agitation. The State was convulsed over this great political issue. In many localities there was a fiery feeling. A duel occurred between Dr. Holmes and Mr. Nelms about the burning of the staying delegates in effigy, in which Mr. Nelms was wounded.

The opposition had been for some time showing activity. The party was disorganized, but still vital. The *Chronicle and Sentinel* made a suggestion that met with favor and was soon adopted, of rebaptizing the party under the name of the "CONSTITUTIONAL UNION PARTY." A Convention was called and held in Milledgeville on the 2d of May, 1860. Gen. John W A. Sanford was made President, and John Milledge and Dr. R. A. T. Ridley, Vice-Presidents; C. R. Hanleiter, L. F. W Andrews and C. H. C. Willingham were Secretaries. Forty-four counties only were represented by 111 delegates. Among the leading members were A. H. Kenan, R. M. Orme, Clifford Anderson, M. W Lewis, R. L. McWhorter, D. W Lewis, R. P Trippe, C. H. Hopkins, G. E. Thomas, P. Reynolds, John Milledge, Ranse Wright, C. A. Evans and B. H. Bigham.

The resolutions adopted pledged the party to co-operate with all men who believed in the duty of the government to protect slave property in the territories, and that any legislation to defeat the fugitive slave law was unconstitutional. An Executive Committee was made of J. W A. Sandford, C. H. Hopkins, H. Holt, L. F. W Andrews, R. A. T. Ridley, Dr. H. V M. Miller, Dr. S. H. Freeman, D. W Lewis and John Miller. Delegates were appointed to a National Constitutional Union Convention at Baltimore, of whom those for the state at large were Dr. R. A. T. Ridley, Joshua Hill, A. R. Wright and J. C. S. Lee. The Chairman in his speech of thanks declared that the Democratic party that had controlled the country so long with a blundering policy was discordant, and could not even be held together by the cohesive power of public plunder. Good men must now rally to save the country. The resolu-

tions of this convention were ignored by the Constitutional Union Convention of Baltimore, which nominated the Hon. John Bell of Tennessee, and Edward Everett of Massachusetts, as its Presidential ticket. The Republican party had also nominated at Chicago Abe Lincoln of Illinois for President, and Hannibal Hamlin of Maine for Vice-President, upon a platform that declared the territories free, and denied the right of Congress or any other power to give legal existence to slavery in any territory. The issue thus made was clear and distinct. It was more,—it was defiant and aggressive.

The Democratic Convention of June the 4th, 1860, was looked to with profound interest. One hundred and twelve counties were represented by three hundred and forty delegates. It was a large body and in point of ability a strong one. Among the delegates were L. H. Briscoe, P Tracy, J. Hartridge, W H. Stiles, H. R. Jackson, S. Cohen, Howell Cobb, N. Tift, J. H. Lumpkin, B. C. Yancey, T. C. Howard, Thos. Butler King, W H. Dabney, W E. Simmons, Herschell V Johnson, Saml. Hall, Hiram Warner, T. P. Saffold, A. H. Chappell, J. Wingfield, T. L. Guerry, A. Hood, Jas. Gardner, Julian Cumming, W W Montgomery, W A. Hawkins, T. M. Furlow, H. K. McCoy, J. C. Maund, J. L. Seward, George Hillyer, C. W Styles, J. S. Hook, R. L. Warthen, B. D. Evans, J. C. Nichols, I. T. Irwin.

The President was T. L. Guerry. The chairman of the Business Committee was Wm. H. Stiles. On this committee were both Howell Cobb and Herschell V Johnson. A majority and minority report were both made, the latter signed by H. V Johnson, Thos. P. Saffold, H. K. McCoy, and A. Colvard. The majority report took imperative ground for the protection of slavery in the territories, endorsed the seceders from the Charleston Convention and reappointed the entire delegation to the Charleston Convention, to represent the State in the Baltimore Convention, and if the slavery programme was not adopted there to go into the Richmond Convention. The minority report reaffirmed the Cincinnati platform with an additional resolution declaring that slave property was entitled to the same legal recognition in the territories as any other property, and the right could not be impaired by Congress or a territorial government. The minority report further provided for a new delegation to Baltimore.

The session of the convention continued two days. The discussion upon the reports was intense and elaborate. T. P. Saffold, Howell Cobb, J. L. Seward, Dr. J. Branham, B. C. Yancey, James Gardner, H. V Johnson and Henry R. Jackson all spoke. Several of the speeches

were very able. Ex-Gov. Johnson began his speech before the noon adjournment of the second day, and concluded it after dinner. His speech was powerfully begun and a master-piece of argument and eloquence. Even his opponents acknowledged its magnificent power. But what slight causes can affect human effort. Wearied at the close of the morning session, and unable from the strain upon him to eat any dinner, he took a glass of wine upon an empty stomach to strengthen himself, and it sickened him, rendering the continuation of his speech so difficult that its diminution of vigor was marked. Jackson and Cobb both made strong efforts for the majority report. The Convention was nearly one-sided. The majority report was adopted by a vote of 298⅘ yeas to 41⅕ nays.

The minority of the Convention then entered a protest against the majority report thus adopted on the grounds that it asserted propositions that were in violation of the established Democratic doctrine of non-intervention, and that would disrupt the National Convention; that it by implication condemned the delegates who did not secede at Charleston; and that its appointment of delegates to Richmond detached this Convention practically from the National Democracy. Among others this protest was signed by James Gardner, George W Lamar, T. P. Saffold, J. L. Seward, Hiram Warner and Jas. S. Hook.

The minority of the convention, also, immediately organized what they called "A National Democratic State Convention," of which Hiram Warner was made president. Twenty-four counties with 63 delegates were represented. In addition to the delegates above mentioned as protesting against the majority report there were H. V Johnson, Jas. A. Nisbet, Jas. T. Nisbet, A. E. Cochrane, J. W Duncan, A. H.Chappell, Julian Cumming, W W Montgomery and others. A full set of delegates were appointed to the Baltimore convention, and the minority report was unanimously adopted. The delegates selected were:

State at large.—H. V Johnson, James Gardner, Absalom H. Chappell and Hiram Warner.

District Delegates.—1st, J. L. Seward, Wm. B. Gaulden; 2d, R. Whitely, B. Y. Martin; 3d, N. Bass, S. W Burney; 4th, J. P. Hambleton, S. C. Candler; 5th, A. R. Wright, H. P Farrow; 6th, R. McMillan, J. P Simmons; 7th, T. P. Saffold, J. Thomas; 8th, L. A. Nelms, A. C. Walker.

A committee of three, consisting of H. V Johnson, Jas. A. Nisbet and Nathan Bass, was appointed to issue an address to the people of Georgia, explaining their action. The address evidently emanated from

the brain of Gov. Johnson. It was a compact, vigorous, polished paper, blending force and finish. The minority report, it said, was admitted by the majority to be sound in principle, and only differed from the majority in not demanding the undemocratic doctrine of intervention. It also refused to recognize the sectional convention at Richmond. The majority report denationalized the Georgia democracy and made it a probable conclusion that the State would not be received in the national convention. The minority had appointed delegates upon a sound unobjectionable platform, and if the majority delegates were rejected the minority delegates would attempt to prevent Georgia from being unrepresented. The address made no censures upon any one, but candidly declared that it believed, that the urging of the doctrine of intervention was unwise, and fraught with danger to the national democracy and to the best interests of the South.

It will be seen how every step of events in Georgia during this year was marked by unhealed and growing divisions. The spirit of discord was rife, and the drift to disunion was steady and irresistible. Men either could not or would not harmonize, though harmony was so easy. Looking at the differences at this long distance, out of the fever of those days, one wonders, with the terrific contingency of a disruption of the party and its certain and immeasurable results of evil, that as sensible men as there were in control of matters, did not fix a settlement of the party divisions. There can be but one explanation. There were enough disunionists to drive party disintegration as the sure agency of national dissolution. The abolitionists of the north were equally resolved to extirpate slavery, and furnished the needed stimulus of a biting and incessant provocation. Conservative men were powerless, and a moderate policy impossible in the heated temper of the era.

The Richmond convention met and adjourned until the 21st of June, 1860. The Baltimore convention assembled. Both Georgia delegations applied for admission. The committee of credentials finally made majority and minority reports. The majority report favored the admission of both delegations with a division of Georgia's vote, and the admission of contesting delegations in place of seceders from the other Southern states. The minority report favored the admission of all the seceding delegations. The convention admitted the seceding Georgia delegation headed by H. L. Benning, and rejected the national democratic delegation headed by James Gardner. The seceding delegations from the other states were rejected and new ones admitted. Delegations from Alabama and Louisiana were not admitted at all. Upon this

action the Georgia delegation refused to go in, and the majority of the delegations from Virginia, North Carolina, Tennessee, California and Oregon withdrew from the convention, and Delaware declined to take any part for the present. Missouri alone was entirely represented from the south, and a few delegates remained from Virginia, North Carolina and Tennessee. The party rupture was complete. There was no hope of reconciliation. The disintegration proceeded. Kentucky withdrew. The majority of the Massachusetts delegation went out. Hon. Caleb Cushing, the president of the convention, resigned, because his state of Massachusetts was thus unrepresented. One hundred and ninety delegates were left, a new chairman was chosen, and Stephen A. Douglas nominated for President, and Gov. Fitzpatrick of Alabama for Vice President. Fitzpatrick wisely declined. In Washington on the 25th, the Douglas delegates selected Herschell V Johnson of Georgia in his place, who accepted.

The seceders immediately organized a National State Rights Convention. Hon. Caleb Cushing was made president. Two hundred and ten delegates, representing twenty-one states, and 284 votes, constituted the convention. The states were Vermont, Massachusetts, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiania, Mississippi, Texas, Arkansas, Missouri, Tennessee, Kentucky, California and Oregon. The majority report of the Charleston convention was adopted, and John C. Breckenridge of Kentucky was nominated for President, and Joseph Lane of Oregon for Vice-President.

The fatal work was done. The democratic party in the very height of its power was stricken down by its own hand. The only constitution-loving political organization in the country that had the popular confidence deliberately enacted its own disintegration, and turned the government over to a sectional party. The result was a foregone conclusion. Split into warring fragments, the otherwise irresistible strength of the democracy was wasted, and a minority party, the Black Republican, regardless of constitutions, but battling against slavery on grounds of humanity, had an easy victory. In the light of common sense the democratic division was a mad piece of policy, useless and destructive. In the illumination of a Providential purpose, it was the means to a great end, to be worked out through a travail, which, if it could have been foreseen, would have frightened back the consummation. The democratic rupture at Baltimore was the practical inception of the revolution.

CHAPTER XV

THE MOMENTOUS CLOSE OF THE LAST YEAR OF PEACE, 1860.

A Matchless State Prosperity.—Brown's Growth in Public Esteem.—The Gallagher Rifle.—D. A. Walker.—H. V Johnson's Up-hill Campaign.—Electoral Tickets for Breckenridge.—Douglas and Bell.—The State convulsed.—Francis S. Bartow and his flaming Speech.—An Era of Delirium.—An Epoch of Eloquence.—Georgia's Galaxy of Orators.—Varney Gaskill's Expulsion.—No Popular Election in Georgia.—The Legislature.—Gov. Brown's Message.—A Bold Paper.—Preparation for War Urged.—Retaliatory Legislation recommended.—A Convention advised.—The Legislature elected the Breckenridge Ticket.—The Secession Convention called.—Ten Thousand Troops authorized.—Money Alarmed.—Business Shocked.—Brown's Bitter Battle with the Legislature over the Bank Question.—Gov. Brown opposed Suspension.—Bill Passed.—Veto.—Bill Passed over Veto.—House Attacked Governor.—Unquailing Message in Reply.—Resolutions of Censure by House.—A Universal Fighting Time.—Brown an Unyielding Foe.—He Denounced the Censure and Scathed the House.—The Electoral Ticket call for Gov. Brown's Views on the Crisis.—A Strong Reply.

Amid all this trouble in Georgia over Federal politics, the state continued to progress in prosperity under the matchless administration of Gov. Brown. He took no active part in national matters, but devoted himself with his accustomed zeal and vigilance, to the details of state government. He steadily grew in popular esteem, and daily widened his reputation and influence. He continued to deal with state questions, promptly and masterfully. The state road was made to pay increasing monthly installments into the state treasury. The pardon power was rarely exercised. The surplus in the treasury, placed there by his superb management, was devoted to taking up bonds not due, and thus diminishing the public debt and taxation.

While he was not an active participant in the political tumult of the day, he was a close observer of events, and had a keen, practical eye to the future and held in consideration the needs of the state. He foresaw the coming conflict, and was for preparing for it. Some Savannah gentlemen, Dr. M. J. Gallagher and W H. Gladding, had invented a rifle. Gov. Brown had it tested with a view to its manufacture and distribution in the state. Mr. Eli McConnell and John Jones made a competitive trial with it, upon twelve inch planks an inch apart. This rifle beat

Andrew Johnson

both the Sharpe and Minie weapons. Gov. Brown wrote as follows about it to Dr. Gallagher and Mr. J. D. Delannoy.

"Recent events have, I think, satisfied the southern people that it is wise for them to arm. I have but little confidence in high-sounding speeches and resolutions. We must meet aggression in future by energetic preparation and prompt action. The legislature which places your "Georgia Rifle" or some other first rate arm in the hand of every person in the state, qualified to do military duty, will have done more to protect the South against aggression than has been done by all the resolutions of its predecessors. The argument is already 'exhausted.' Let us have no more *compromises*, and if the full measure of our rights is denied in future, let us stand by our arms."

The resignation of L. W Crook as judge of the Cherokee Circuit was the occasion of Gov. Brown appointing in his place a gentleman who afterwards became quite a marked person. Judge Dawson A. Walker was a Tennesseean by birth. A self-made man and very plain in manners and habits, he was a lawyer of uncommon ability and energy, and a citizen of integrity and pure character. He became a Judge of the Supreme Court, defeating Henry L. Benning before the legislature for that office by the aid of William Dougherty. He was the Republican candidate for Governor against Gov. Smith. He has recently died enjoying general esteem.

The nomination of Breckenridge and Lane was generally endorsed in Georgia. The only leaders who supported Douglas and Johnson were Alex. H. Stephens, Ranse Wright, Eugenius A. Nesbit, Hiram Warner, B. Y Martin, J. L. Seward and Absalom H. Chappell. There were a few in favor of Bell and Everett, but the mass of the public men, including both the Democrats and the Opposition, were for Breckenridge and Lane. But three papers advocated Douglas and Johnson, the Augusta *Constitutionalist*, Rome *Southerner* and Atlanta *Confederacy*. Gov. Joseph E. Brown gave the Breckenridge ticket a hearty support. While deeply regretting the division of the Democratic party, and thinking that no sufficient cause existed for a split, as the division was made, he stood as he had always stood, with the South. Gov. Johnson, who had been so widely popular, experienced the vicissitudes of political favor. In Macon he was hung in effigy, but the act was severely condemned by the Breckenridge press. He spoke a number of times. In Savannah he was hissed, and defiantly declared that he repeated his views in spite of the hisses of "serpents and geese," meeting the indignity differently from Mr. Toombs, who, when hissed in Boston during his famous speech there, good-naturedly told the people that he had no objection to their hissing if they preferred that method of expressing their feelings; and again, when at some reference to the fugitive slave law they hissed, he

quietly remarked that they were hissing the Constitution of their country and not him. Gov. Johnson had an uphill business in this campaign. He was a sensitive and not at all a combative man, and illy-suited for a struggle against such odds as he had to fight, and against the prejudices of his own people. The papers rang with charges against his political integrity, and these and the personal discourtesy that flamed out in this hot canvass were something he was little fitted to meet.

The Democratic State Convention met on the 8th of August, 1860, and selected a Breckenridge and Lane electoral ticket. A hundred counties were represented by several hundred delegates, including the leading men of the State. Mr. Toombs was a delegate, as also the two brothers, Alfred H. Colquitt and Peyton H. Colquitt from different counties. W J. Vason was made President. Mr. Toombs was chairman of the business committee. The resolutions were short and to the point. The following bears unmistakable marks of Mr. Toombs' fiery spirit.

"5th. *Resolved*, That we embrace with our whole hearts and trust with our whole counsels those noble patriots in the non-slaveholding States, who, neither disheartened by treachery nor overawed by majorities, maintain the truth and stand by the Constitution and the equality of the States, the only bond of everlasting Union."

The electoral ticket was:

Electors at large.—C. J. McDonald, H. R. Jackson.

Alternates.—A. H. Colquitt, Wm. H. Dabney.

District Electors.—1st, Peter Cone; 2d, Wm. M. Slaughter; 3d, O. C. Gibson; 4th, H. Buchanan; 5th, Lewis Tumlin; 6th, H. Strickland; 7th, W A. Lofton; 8th, Wm. M. McIntosh.

The Douglas and Johnson State Democratic Convention met in Milledgeville on the 14th of August, 1860. A. J. Lawson of Burke, was made President. Sixty-three counties were represented by 190 delegates. The electoral ticket selected was:

Electors at large.—Alex. H. Stephens, Aug. R. Wright, of Floyd.

Alternates.—T. P Saffold, Jas. Gardner.

District Electors.—1st, James L. Seward; 2d, B. Y Martin; 3d, Nathan Bass; 4th, H. Warner; 5th, J. W Harris; 6th, J. P Simmons; 7th, J. S. Hook; 8th, J. Cumming.

The resolutions were a simple endorsement of Douglas and Johnson and the platform of the convention that nominated them. A resolution was also passed inviting Mr. Douglas to visit Georgia and deliver an address. Gov. Johnson was invited before the Convention and delivered a powerful and eloquent speech.

The convention of the Bell and Everett party put the following ticket in the field:

State Electors.—William Law, B. H. Hill.

District Electors.—1st, S. B. Spencer; 2d, M. Douglass; 3d, L. T. Doyal; 4th, W T. Wright; 5th, J. R. Parrott; 6th, H. P Bell; 7th, J. E. Dupree; 8th, L. Lamar.

The issue was clearly made up with the three electoral tickets, all composed of the very best men in the State. There was no personal consideration in the support given. The issue was decided on its merits. The canvass was very active. The state was covered with large gatherings and swarmed with speakers. Many of the opposition party came over to Breckenridge and Lane, notably such men as Dr. H. V M. Miller, and Francis S. Bartow. The canvass was aggressive on all sides. Mr. Bell was savagely assaulted for not having endorsed the Dred Scott decision. Mr. Douglas was charged with being ready to ally with the Black Republicans, and one of his strongest and most influential supporters, Hon. A. H. Chappell, left him on account of this accusation. The point was fiercely pushed upon Gov. Johnson as to what he would do if Abe Lincoln was elected, and whether he would submit. He thundered back that he would hold the Breckenridge and Lane party responsible. The whole tendency of the intensely heated canvass was to educate and drive the popular will to disunion if the Black Republicans succeeded. Said that most brilliant and impetuous spirit, Francis S. Bartow, in a burning speech in Savannah, with a sad prophetic forecaste of his heroic death at Manassas in the very beginning of the war:

"I am tired of this endless controversy. I am wearied with seeing this threatening cloud forever above our heads. If the storm is to come, and it seems to me as though it must, be its fury ever so great, I court it now in the day of my vigor and strength. (Applause). If any man is to peril life, fortune and honor in defense of our rights, I claim to be one of these men. (Immense applause.) Let it come now, I am ready for it. Put it not off until to-morrow, or the next day, we shall not be stronger by waiting. (Continued applause.) I do not wish to destroy the government. I am a Union man in every fiber of my heart. I have gloried in its missions of humanity, in its heroic birth, and youthful struggles, and in the grandeur of its maturity. God never launched a nation on a more magnificent career. It has been the home of the oppressed and the asylum of the desolate from every land. In it to-day are wrapped the hopes of universal man—but I will peril *all*—ALL before I will abandon our rights in the Union or submit to be governed by an unprincipled majority. (Great applause)."

It is the nature of manly men—men of high spirit, to fret under suspense, and to precipitate impending and inevitable issues. It was this spirit which made the situation in 1860 so full of delirium and peril. Southern men saw no end to the slavery agitation save in submission or

fight. The former was out of the question. They invited the latter as the only means of settling the struggle. It was a desperate feeling, and it seized the most tame-spirited. There perhaps has never been a time that brought to the front more vehement and maddening eloquence than that stormy year of 1860. Georgia was full of superb orators, and in the themes of that wild day they found constant and congenial material for impassioned and irresistible oratory. It is in such whirling times of upheaval and passion and madness that eloquent men find their most thrilling mission. The canvass was a carnival of splendid speaking. Men's blood was at fever heat under a long felt and long-repressed sense of wrong. It was no day for reason or argument save what rolled with the passions, that were rising higher daily. Georgia has never been so affluent in great minds and superlative speakers as in that time. There was a superb galaxy of mental giants and genuine orators. Toombs, Johnson, Cobb, the Stephens brothers, Jackson, Bartow, Miller, the two Wrights, Hill, and Colquitt were all men of splendid power on the stump, all magnetic, and all threw themselves into that dramatic agitation with the whole fervor of their souls. Any one of these men was fitted to lead in any assemblage anywhere, while several enjoyed a national reputation of the very largest measure. Mr. Douglas himself came to Georgia and spoke in Atlanta during the canvass to an immense audience. Ben Hill and Warren Akin bore the brunt of the battle on the Bell and Everett side, and did it well. Mr. Hill, near the close of the canvass, published a letter urging the fusion of parties for the sake of the country, but he was unmercifully lampooned for the suggestion by the Breckenridge and Lane press and speakers. And Col. Wm. McKinley, the chairman of the Breckenridge executive committee, published a card officially denying for the committee any idea of such a fusion. It was charged that the movement was a confession of weakness and a trick to defeat Breckenridge, but in the light of results, it was a wise and a patriotic proposition.

As an illustration of the spirit that prevailed, the treatment of Col. Varney A. Gaskill is in point. He was chairman of the Fulton county Breckenridge executive committee. Believing that he was coquetting with the Bell and Everett people, the committee met and passed, and published the following bitter resolution:

"*Whereas*, V A. Gaskill having forfeited all confidence of this Executive Committee, by his political course in the presidential canvass, by his public and private political tergiversations, therefore,

Resolved, That V A. Gaskill be *expelled* from this Executive committee, and that he is no longer worthy of our political fellowship."

An organization was established in the state that was originated in Macon, called the "Minute Men," irrespective of party, whose purpose was to "sustain southern constitutional equality in the Union, or failing in that, to establish our independence out of it." In Atlanta, the "Minute Men" was started by Col. T. C. Howard, and numbered over 400 members. Such men as Howell Cobb, noted as Unionists, emphatically menaced and foreshadowed disunion. Said Mr. Cobb at Marietta, but a short while before the election in a most powerful and effective speech: "The hour of Georgia's dishonor in the Union should be the hour of her independence out of the Union."

The day of election came at last, and Lincoln and Hamlin were elected. In Georgia the vote stood as follows: Breckenridge and Lane, 51,893, Douglas and Johnson, 11,580, Bell and Everett, 42,855. None of the electoral tickets having received a majority of the whole vote, the choice of the electors was therefore thrown into the legislature. The success of the Black Republican ticket fell upon the South with maddening effect. There had been a fixed belief that somehow such a result would not happen, and the Breckenridge men in Georgia were pretty sure of carrying the presidency. But there stood the inexorable result, and it produced the effect of a volcanic eruption. The Georgia legislature assembled for its regular annual session, the same legislature that had held in 1859. The speaker of the House, Hon. I. T. Irwin, had died, and Gen. C. J. Williams was elected in his place. Several new senators and representatives had been elected, among them, R. C. Humber, George T. Barnes and John Davison, who have been prominent since the war. Mr. Barnes is at present the Georgia member of the National Democratic Executive Committee, this being his second term in that capacity. He is a gentleman of fine talent and character.

The annual message of Gov. Brown was devoted to the business matters of the state, and made a striking exhibit. The state road had paid $450,000 into the Treasury. Of the state debt not due, $117,000 had been paid in addition to the interest and principal due. The School Fund had been increased $200,000, besides $150,000 paid out for educational purposes. The sum of $75,000 had been appropriated at the last session to buy arms for the state military. An increase of the appropriation was recommended. All of the institutions of the state were in the best condition. The subject of our Federal relations, Gov. Brown made the occasion of a special message of great length and elaboration, and practical ability. The message was written before it was certain that the Black Republican ticket was elected, but when sufficient re-

turns had come in to render it probable. Reviewing the anti-fugitive slave law legislation of half a dozen of the northern states, he urged as the only means to meet such aggression, a system of retaliatory legislation against such states. He recommended measures of reprisal upon the property of Massachusetts citizens for instance in Georgia, and withdrawal of protection to such citizens, besides discrimination against the manufactures and products of the offending states. In the event that the Black Republican ticket was elected, he advised the calling of a convention of the people of the state, to devise a proper course. He concluded with the recommendation that the sum of one million of dollars be appropriated for a military fund, with the view of armed resistance to any further aggression.

This message of Gov. Brown was a typical instance of the man's methods. Its keen discernment of the situation, its stern recognition of disagreeable facts, its thoughtful consideration of remedies, its thorough preparation for the worst, its bold assumption of responsibility, its daring aggressiveness, its large comprehension of probable needs, and its magnitude of plan, all inspired by prompt and iron-willed nerve, and conducted with confidence and practical sense, were all just what the people had learned to expect from this remarkable man. The message awakened a general interest over the whole Union. It evoked bitter denunciations from abroad. For a month the table of the executive office was covered with letters from every factory in the North, representing in every variety of penmanship, orthography and rhetorie, the ills which would befall any number of men, women and children, should Georgia carry out the policy of her Governor.

It was but a few days until the election of Lincoln and Hamlin was a certainty. County meetings were held in all parts of Georgia, and resolutions poured in a steady current upon the General Assembly urging action. Savannah led off under inspiration of the impetuous Bartow, and declared that the election of Lincoln and Hamlin ought not to be submitted to, and asking for a convention, and measures to organize and arm the forces of the State. A convention of military companies presided over by John W. Anderson, resolved that "Georgia can no longer remain in the Union consistently with her safety and best interest." The appropriation of a million of dollars for military purposes, recommended by the Governor, was endorsed by this convention of soldiers, and their services tendered to the Governor.

Governor Brown issued his proclamation announcing that there had been no selection of electors by the people, and the duty devolved upon

the General Assembly, and he suggested that in view of the fact that the Black Republican candidates were elected, and the Georgia vote would not alter the result, that for the sake of harmony, so essential now in the South, a refusal to go through the forms of an election would be politic. He also announced by authority that ex-Gov. McDonald, one of the electors on the Breckenridge ticket, would not allow his name used, as he was too feeble to cast the vote. The legislature, however, deemed it imperative to choose the electors, and the Breckenridge ticket was elected, substituting Alfred H. Colquitt for ex-Gov. McDonald.

This legislature of 1860 did important work. A convention of the people of Georgia was called for the 16th day of January, 1861, the election of delegates to take place on the first Wednesday in January, 1861. The act passed unanimously

The committee upon the State of Republic addressed a communication to the following gentlemen, asking them to meet together in a practical and conciliatory counsel, and suggest a line of policy for the legislature: Joseph E. Brown, Alex. H. Stephens, R. Toombs, Jos. H. Lumpkin, R. F. Lyon, Charles J. Jenkins, J. W. A. Sanford, H. L. Benning, G. Andrews, Linton Stephens, M. J. Crawford, B. H. Hill, F. S. Bartow, James Jackson, T. R. R. Cobb, H. V Johnson, E. H. Baxter, J. H. Howard. These gentlemen assembled and recommended the calling of a convention with the following preamble:

"Whereas, the present crisis in our national affairs, in the judgment of this General Assembly, demands resistance; and, whereas, it is the privilege and right of the sovereign people to determine upon the mode, measure and time of such resistauce."

The office of Adjutant General of the state was created; the acceptance by the Governor of 10,000 troops was authorized; the purchase of 1,000 Maynard rifles and carbines for the coast defence ordered; and an appropriation of one million of dollars for military purposes made. A Direct Trade Company was incorporated; the sum of $2,500 appropriated yearly to the State Agricultural Society, a practice still kept up; and $2,500 appropriated to the Cotton Planters' Convention. All of these were practical matters, looking to preparation for the troubles impending, and for a changed condition of affairs.

The menacing state of politics could, of course, have but one effect upon business. Capital became alarmed. All classes of business felt the shock of apprehension. Trade was disturbed, investments ceased, and general commerce was paralyzed. Money was locked up, and the cloud of financial distress darkened the country. The banks, North and

South, looked forward to suspension, and a bill was introduced and passed, granting relief to the Georgia banks. It seemed as if the banks were destined to be a fruitful and constant source of combat between Governor Brown and the legislatures of the State. Somehow or other they could not agree, and the Executive was not the sort of a person to yield his convictions to any pressure, nor to pin his opinions upon any number of coat sleeves. He promptly sent back a veto of the bank relief bill. He said that he had been opposed in 1857 to bank suspensions, and his views had been sustained by the people. There was less reason now for a bank suspension than then. The advocates of bank relief admitted that the banks could meet their liabilities, but it would cost something. In view of their superior advantages some sacrifice is due from them. Bank men practiced upon popular credulity with the absurdity that suspensions were for the benefit of the people. If so, why were the lobbies filled with bank officers spending money to secure the passage of relief bills. He had seen such influences brought before in 1857. The people had not asked for suspension. The relief measure freed the banks from the penalties of not redeeming their bills, and left the bill holder to suffer loss. Was this a benefit to the people? It would be time enough to legalize suspension on account of the political state of affairs when an occasion arose, and as far as they should go would be to put in the Executive discretion to withhold proceedings against the banks if it was required. In the event of suspension of any Savannah, Augusta or Atlanta bank, the collection of debts in the state ceased until December 1st, 1861, and executions became stopped without security. These provisions were an injustice to plaintiffs in *fi fa* and to creditors, and gave all advantage to creditors out of the state who could resort to the United States Courts. Northern merchants could enforce claims against Southern merchants, while Southern merchants would be powerless to raise money from their debtors. Was this *resistance* to Northern aggression? Regretting to differ from the legislature, he yet was compelled to veto the bill because objectionable and unjust.

The bill was promptly passed over his veto, but the matter did not stop here. His utterances in the veto message about lobbyists seemed to have given offense. Mr. Dixon of Muscogee, offered a resolution requesting the Governor to give information showing that any member had voted for the relief bill for money, or that any bank had used money to secure the passage of the bill. The words about which explanation was asked, were these:

"Why is it, that these gentlemen never take upon themselves to guard the people's interest, and spend money to secure the passage of bills through the legislature, except when it is desirable to pass a bank suspension bill."

To this resolution the Governor returned a well-tempered, polite reply, directed to the Senate, in which he said that he took pleasure in saying to the Senate, "that no charge of bribery was intended, that the language was general, and was meant to be directed against what is known as lobby influence, when gentlemen leave their homes, and spend money for traveling expenses, tavern bills, etc., for the purpose of hanging around the General Assembly to try to influence the minds of members, so as to secure the passage of a particular bill." The unruffled and immovable Executive proceeded to say that he saw nothing in the message "he desired to retract or modify." No member of the Senate to whom his message was addressed appeared to have suspected reflection on himself until the discovery was supposed to have been discovered elsewhere. He did not doubt that upon a calm review each Senator would now see that he saw in it no imputation upon himself, as "conscious innocence will never appropriate to itself language in which others can see no charge, or even dubious language as an imputation of criminality."

This message gave still farther offense to the House, which passed a resolution offered by Mr. Dixon, which was put on the journals of the House, reciting that the answer had not been communicated to the House, that it was an evasion of a charge the Governor could not maintain, and the language of the answer was disrespectful to the House, therefore,

"*Resolved*, That his Excellency, Gov. Brown, has not only abused the privileges of this House, but has failed to maintain in his official intercourse with this body, that dignity of deportment, which becomes the Chief Magistrate of Georgia."

It was a war-like time then. Men's fighting blood was up. And it took, in the sweeping belligerence of the universal atmosphere, little provocation to get up a muss between anybody and about anything. Joe Brown too was the worst person in the country to tackle. Nature, in making him, had rather put an over than an under stock of combativeness. It is rather to be suspected that his Excellency had a sort of natural relish for a set-to with other folks. Be this as it may, it stands true that no one ever struck Gov. Brown without getting hit back, and if he ever declined a combat it is not chronicled, nor has it been susceptible of proof. This attack on the Governor was a flimsy one, and it is surprising that it was made, and that the legislative body

allowed itself to take part in it. Congregations of men nor official veneer never had any terrors for this level-headed man of the people. He flung back the House censure with a cool, biting defiance and contempt. Reviewing the matter concisely he showed that he had not evaded the charge, violated any privilege of the House, nor failed in dignity in his intercourse with the House. He used this language about the resolution of the House.

"They were conceived in passion, prompted by a spirit of personal revenge, and not of public duty—undignified in their bearing, untrue in their statements, and unjust in the assault which they make upon a co-ordinate branch of the government."

He ordered his reply to be entered upon the permanent records of the Executive Department, the legislature having adjourned before he prepared the message. Like everything else that he did, this spirited reply and the controversy that elicited it, only strengthened Gov. Brown with the people as a fearless champion of the public interest and the bold assailant of evil.

It was a striking evidence of the hold he had on the public confidence and the estimate that was placed upon his judgment, that the electoral ticket chosen by the legislature addressed him alone of all the distinguished public men of the State, a letter asking his views upon the situation as being "eagerly desired." Gov. Brown's response was a practical common-sense view of affairs, in which he said some very striking truths. The election of Mr. Lincoln, simply as a successful candidate, would not justify secession, but as the triumph of the Northern section of the Union over the Southern section, upon a platform of avowed hostility to Southern rights, justified the South in withdrawing from a confederacy where she could not be protected. Submission to the inauguration of Mr. Lincoln now would result in the final abolition of slavery. If resistance was not made now it would be fruitless hereafter. He discussed fully the business effect upon the South of the abolition of slavery. Impartially scrutinizing the outlook, he expressed the opinion that the South could never live in peace with the Northern abolitionists unless we could have new constitutional guarantees that would stop the slavery agitation. These the Northern people would never give. There was no doubt that the States around Georgia would secede, and we would thus be surrounded by free and independent states, with whom we have a common interest, and to refuse to stand with whom would in no way benefit us. Let wise men be sent to the convention, and let them act for the best to protect our rights and preserve our liberties.

CHAPTER XVI.

THE STUBBORN BATTLE IN GEORGIA OVER DISUNION.

A Majority Against Disunion.—The County Appeals to the Legislature.—A Striking Batch of Papers.—The Greene County Resolutions and M.W Lewis.—Stately Invective.—Stephens, Johnson and Ben Hill, against Secession.—Dr. Lovick Pierce.—Howell Cobb.—L. J. Gartrell.—The People Halting.—Toombs Drives the Wedge Finally.—His Master Stroke of Disunion.—His Conservative Danbury Letter.—His Scheme of the Crittenden Resolutions, which Tested the Black Republican Willingness to Compromise.—His Ringing Dispatch for Disunion.—William L. Harris of Mississippi.—Gov. Brown and the Banks Again.—The Choice Pardon.—Charles J. Jenkins.

A PRETTY fair criterion of the disunion sentiment in Georgia before the election of Lincoln and Hamlin was the Breckenridge vote. The union element voted for Douglas and Bell. The Breckenridge platform naturally attracted the most pronounced Southern rights men who were for making an unqualified issue for slavery. The vote showed a majority against disunion. The election of Lincoln set the current steadily to secession, and fixed a majority for national dissolution. But there was yet an immense reserve of decided union sentiment, that resolutely sought to stem the disunion tide. Over forty counties held public meetings and transmitted resolutions to the General Assembly. These solemn utterances of public opinion constituted a remarkable body of popular expressions. Whether for or against disunion they were tinged with a white heat, and echoed the tumultuous agitation of the time. The bulk of them demanded secession, but there were some most extraordinary, eloquent and prophetic appeals and pleas for union.

The resolutions from Greene county, presented to the legislature by Miles W Lewis, cover seven pages in the House journals of 1860, and furnished a striking and masterly argument for a conservative course. Pronouncing the election of Lincoln a violation of national comity, and not to be submitted to except temporarily, they yet declared it was not *per se* a sufficient cause for immediate dissolution, for a powerful array of reasons:—Because it was a constitutional election, against Northern interest to dissolve the union, because the South was not yet united, because time and delay should be given to let the North try to do justice, because haste in the overthrow of the government would cut off sympathy for our movement, because the masses of the Southern

people were not ripe for disunion, because we were not ready for war, because no serious effort had been made at reconciliation, because we owed a duty to mankind to preserve our republic and its genius, because of the injury to our state and national securities and the terrible pecuniary results, and because a dissolution if proper ought to be done with slow deliberation and after every effort to preserve it, quoting the example of our colonies which only dissevered finally and irrevocably the bond to the mother country after two years' fighting. State conventions, and then a Southern convention, temperate but firm, should be held, urging our rights before the North and making a last grand united effort for a settlement such as we wished. The last of these powerful and statesmanlike resolutions deserves giving entire.

"*Resolved*, That in view of the great and solemn crisis which is upon us, we request our fellow citizens to unite with us in prayer to Almighty God that he would deliver us from discord and disunion, and above all, from civil war and from bloodshed; and that he would so guide our counsels and actions that we may be able to maintain our rights without revolution."

There were a number of the counties that sent up similar resolutions to the above, Sumter, Milton, Troup and others. But the majority struck hotly for immediate secession. Some were magnificent ebullitions of stately and impassioned invective. No man can read this masterly set of public resolutions without being impressed with their dignity, force, vigor of thought and uncommon excellence of diction and august gravity and intensified fervor of spirit. They were the outcome of an aroused and welded public sentiment, focalized to the most impressive majesty of deep human feeling and conviction. There was an originality of conception and a variety of treatment too about them that was wonderful, and indicated the marked ability as well as profound reflection of their authors. The grand problems of our government, the difficult questions of civil, social and political policy, the philosophical relations of sections and classes, and the practical matters of administration were discussed and expounded with a marvelous incisiveness and condensation, and an apothegmatic felicity of language.

The Dougherty County resolutions reported to the House by Mr. R. N. Ely, presented forcibly an idea, urged by a number of other counties, that represented the view of the more conservative secessionists. This was the necessity of co-operation among the Southern States. It was declared,

"It would be monstrous if a single Southern State should, without consultation and by separate action, attempt to decide the great question that now presses upon the South, not only for herself, but for her remaining fourteen sister states."

This was the very thing that did happen, a thing that was a great wrong, that was unwise and impolitic to the last degree, and that was remediless. These resolutions put the true wisdom of the crisis in these words:

"*The time has come for the final settlement of the slavery question upon an enduring and unequivocal basis*, and to a General Conference of the Southern States, we would entrust the duty of declaring what that basis shall be."

The Richmond County action, reported to the legislature by Mr. Wm. Gibson, contained this beautiful and significant incident. The chairman having stated the object of the meeting, then informed the assemblage that it had been made known to him that a white flag with the lone star, and inscribed thereon: "*Georgia—Equality in* or *Independence out of the Union*" had been placed upon the cupola of the Temple of Justice in which they were then assembled; and was then waving over their heads; which announcement was received with long, continued applause. When on motion it was unanimously resolved, "That this meeting adopt the flag and its position as their act, evincive of their determination in the present crisis." It is at such fevered times when the public blood is in a state of exalted fervor that poetic trifles like the above incarnate the solemn purposes of earnest, iron-minded men and idealize a stern gravity into romance.

But serious as was the crisis, and ominous the drift to revolution, the people were not ripe for the plunge. Some very strong men were opposing the policy of secession. H. V Johnson, Alex. H. Stephens and Ben. H. Hill stood firmly against it. Mr. Stephens made a speech to the Georgia legislature, that take it all in all, was the grandest of his life. Unaffected by the whirlwind of passion around him, that terrorized men, he uttered a clear, firm counsel against secession. He daringly asserted that the South was not blameless, and with an unsurpassed moral and physical courage planted himself against disunion. In the calm retrospection of those crazy days this appeal of reason was simply sublime. Dr. Lovick Pierce, the powerful methodist Divine, threw his strong influence against it. Yet he was taunted in the press with inconsistency, because in 1844 he had urged the secession of the southern Methodist church, because Bishop Andrews was officially crucified by the northern Methodists for being a slave-holder. Howell Cobb wrote from Washington a long and unsurpassably able letter, calm, logical, dispassionate and even cold in its temperate, but inexorable argument, discussing the whole situation and urging immediate secession. He quoted voluminously from all of the Republican leaders, to show the im-

movable abolition intent of the party, he demonstrated that the result of the election was war to the death on slavery, he showed that there was no hope for the South in any other remedy than secession, he argued that honor and interest required immediate withdrawal from the Union, and he announced that he was coming home to share the destiny of his state, and resigned his position as Secretary of the Treasury. L. J. Gartrell wrote to Dr. William C. Humphries of Atlanta, a letter declaring that it was the policy and duty of Georgia to secede. Mr. Gartrell had made an enviable reputation in congress and stood among the promising young men of the state. He had delivered several speeches in congress that attracted much attention, and had borne himself in debate so as to win the respect of his opponents, as well as the applause of his friends. The venerable ex-Gov. Wilson Lumpkin, in a letter to Asbury Hull, H. C. M. Hammond, R. S. Taylor and others, stated that there was no hope from the North and secession was the only chance of prosperity. Gov. Lumpkin had not been in public life since 1843.

But the people still were not matured for the grave step. It was reserved for Robert Toombs with a consummate management to fashion and drive the wedge that rived apart the stately structure into contending halves. To him, beyond all question, belongs the leadership of the South in sundering the Union. He was the unquestionable genius of the revolution. William L. Yancey was a powerful factor in the disintegration. But Toombs was the chief and master architect of the disruption. His final achievement was a master stroke of diplomacy, sure, subtle and invincible. It fell upon the South with resistless effect. It swept away the last foot-hold of conservatism. The heaviest objection to a resort to disunion, was the idea that the Republicans were willing to give guarantees against any further interference with slavery, and this willingness should be tested before going to the last extremity. To meet this idea a number of southern senators and representatives, including Iverson, Crawford, Jones, Jackson, Gartrell and Underwood of Georgia, issued an address, brief and pointed, stating that all hope of relief was gone, and both southern honor and safety required secession. But this was not satisfactory to the conservative element. It was left for Mr. Toombs to put the finishing stroke to the indecision and reluctance of the halting. The legislature had voted down a resolution in favor of immediate secession, and in the senate a motion to reconsider was lost after a stiff debate, in which Harris, Lawton, Moore, Spaulding and Tracy were for immediate action, and Jones, Trippe, and Ben. Hill

were against it. Spaulding dubbed Trippe a submissionist; Jones sneered that the co-operationists would have the fighting to do; Harris retorted that Jones was a "citizen in war and a soldier in peace;" Moore declared that Hill's speeches were on both sides; and Tracy charged that Hill "was in love with his subject, and that subject himself." The sharp sparring showed the feeling at play, and the result evinced the proper deliberation before a grave step.

Mr. Toombs had been invited to address the citizens of Danbury, Va., and wrote a letter declining, but giving his views. This letter was a very adroit one. It was so moderate as to expose him to taunts from the extreme secessionists and conservatives both that he was backing down. But it was the most practical drive yet made to unite the divided South in disunion. It recommended delay until the 4th of March, to test the Republican willingness to do right to the South. At the same time he incensed the Republicans by boldly charging upon them the purpose to destroy slavery by hostile laws and stimulating revolts and protecting slave-thieves and insurrectionists. He declared the only remedy for these enormous evils was new constitutional guarantees protecting the South. Let these be offered to the Republicans as a test of their spirit. These constitutional restrictions were worth a cart-load of political planks, and if the Republicans refused to grant them, then the time for action was at hand, and he was willing to delay for such a test in concession to the earnest and honest men who were hopeful of redress in the Union. Mr. Toombs knew well that the Republicans would hoot at the idea of such constitutional amendments, but he knew that their rejection would solidify our people.

In accordance with this programme of Mr. Toombs, the Hon. J. J. Crittenden of Kentucky offered before the United States Senate Crisis Committee of thirteen, a series of resolutions reciting the pending trouble, and proposing as a settlement of it constitutional amendments for the revival of the Missouri compromise line, denial of right to abolish slavery in the arsenals and District of Columbia, transit for slaves over non-slave-holding territory and payment for fugitive slaves rescued from officers by mobs. A time was appointed when the committee agreed to be all present and act on the resolutions. On this committee were Messrs. Davis, Doolittle, Collamer, Wade, Toombs, Grimes, Hunter, Bigler, Crittenden, Douglas, Rice and Powell. Under the rules of the committee no proposition should be considered adopted that did not pass by a majority of the Republicans. The propositions were all rejected, *Mr. Toombs voting against them*, though he declared

he would go for them if the Republicans offered and went for them in good faith. But the fact stands that he voted against them. He immediately telegraphed a ringing address to the people of Georgia, reciting that the Black Republicans had not only voted against any constitutional guarantees for the South, but declared that they had no guarantees to offer. He wound up with these momentous words, the most important and effective for the disunion movement that had been announced by any man or set of men in this tremendous agitation:

"I tell you upon the faith of a true man, that all further looking to the North for security for your constitutional rights in the Union, ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity.

"Secession by the fourth of March next, should be thundered from the ballot-box by the unanimous voice of Georgia on the second day of January next. Such a voice will be your best guarantee for LIBERTY, SECURITY, TRANQUILLITY AND GLORY."

From this time on, though a very considerable portion of the people opposed secession, the policy of disunion in Georgia was an established fact, and the movement sped swiftly and steadily to its consummation. The Hon. William L. Harris of Mississippi, as delegated commissioner from that state to Georgia, made an address to the General Assembly communicating officially the fact that Mississippi had called a state convention to consider the situation, and asked Georgia's co-operation in the adoption of efficient measures for their common defense and safety. The address of Mr. Harris was a very eloquent and effective appeal. His references to Baldwin, Jackson and Troup, the famous Governors of Georgia, were very fine. He declared Georgia "the brightest exemplar among the advocates and defenders of state rights and state remedies. He touchingly alluded to the fact that Mississippi was cut off from Georgia, "glorious old mother"—and that thousands and thousands of Georgia's sons and daughters were adopted children of Mississippi, who still fondly looked to their native state for sympathy and guidance. Mr. Harris in his mission for Mississippi but reflected the feeling in all of the Southern states which looked to the action of Georgia above any other state; and this deep interest in Georgia's action demonstrated how powerful and influential was our commonwealth.

The Legislature adjourned on the 19th of December, 1860, having passed resolutions of sympathy with the message of Mississippi as communicated through Hon. Wm. L. Harris, and resolving that should any or all of the Southern states determine in the present emergency to withdraw from the Union, such seceding states should form a confederacy.

R. Toombs

Before the adjournment the bank agitation was resumed. After the passage of the bank relief bill over Governor Brown's veto, the banks began to suspend specie payment, and one bank had suspended before. The Governor issued his proclamation as required by law, announcing the suspension, but he showed his unabated hostility to the measure and his unconquered resolution in spite of legislative majorities, by concluding his proclamation making known the suspension with the parenthetical statement that he "feared too many know it now to their injury." After a brief trial of the suspension act, Governor Brown addressed a message to the General Assembly making recommendations for additional legislation. He called their attention to the fact that insolvent banks, as well as solvent ones, had the benefit of the act, and were relieved of all responsibility. He went on to discuss the suspenpension, and showed that his prediction had come true that exchange had gone up to three per cent. He put in some heavy blows upon the bank relief champions, showing how relief relieved the people, increasing cost of purchases and freights. If the Legislature would not repeal the obnoxious law, at least let it reduce exchange to one per cent., and place insolvent banks in a different category from the solvent banks. These things were done.

Another matter that excited much discussion was the pardon by the Legislature of a gentleman by the name of Wm. A. Choice, convicted of murder. He was very highly connected, and powerful influences were brought to bear for the purpose of saving him from the penalties of the law. At the session of 1859 an act had passed for his pardon, and Governor Brown had vetoed it upon the merits of the case. Ben Hill took a strong interest in the case, and it was brought before the Legislature again. Mr. Hill pushed it with great ability and vigor, and the pardon was again granted by the Legislature and again vetoed by Governor Brown. The bill provided for placing Choice in the Lunatic Asylum, and was passed over the Governor's veto by a constitutional majority. The case attracted general attention in the state, and a right warm feeling was stirred up between Governor Brown and the friends of Choice. There was some newspaper controversy over it. In the Legislature also there was acrimony on the part of members growing out of the question whether Governor Brown had a right to veto a pardon in a murder case.

The case illustrated the unyielding persistence of Governor Brown's character, and his unswerving adhesion to what he conceived to be his duty. The unfortunate subject of this controversy died within the last

year in the asylum. Commenting upon this case, the Augusta *Despatch* had these words:

"We are not much of an admirer of the 'one man power,' but the judgment, justice and bravery with which Governor Brown has exercised it makes us almost in love with it."

Judge Linton Stephens having resigned as Judge of the Supreme Court, this Legislature did a graceful act of honor to the State in electing Charles J. Jenkins.

CHAPTER XVII.

THE MOST VITAL CHAPTER OF GEORGIA HISTORY—HER SECESSION FROM THE UNION.

Georgia Foremost in the Slavery Agitation.—Her Potential Men.—Her Destiny of Leadership to Continue through Joe Brown.—Carolina Secession.—Its Flaming Effect.—Bartow and Lochrane.—Gov. Brown's Seizure of Fort Pulaski.—H. R. Jackson —A. R. Lawton.—The Convention Endorses Brown.—The Southern Press on the Seizure.—The Macon Companies.—Richard R. Cuyler.—The Secession Convention.—Georgia the Pivotal State.—Personelle of Convention —Ablest Body of Georgia Annals.—E. A. Nisbet.—T. R. R. Cobb.—Dr. Joseph P. Logan.—Nesbit's Secession Resolution.—ex-Gov. Johnson's Famous Substitute.—A Debate of Giants. —Tom Cobb gives the Key Note.—An Historic Picture.—Robert Toombs.—"We Accept War."—Committee to Draft Secession Ordinance.—The Ordinance.—The Signing.—The Protest of Six.—The Ship given to the Lightning and the Gale.—The Inspiration and the Effect of Georgia's Secession.

FROM 1850, when Georgia leaped to the front in the slavery controversy, and gave to the country the famous "Georgia Platform," as the crucial enunciation of Southern doctrine on slavery, up to the crisis in 1860, our state had been the foremost in the agitation. The phenomenal Stephens had focalized the national gaze in the memorable contentions about this subject. The imperial Toombs had led the Southern statesmen with a blended brilliance, ability and audacity, that no man ever surpassed in any forensic arena. The large-souled Cobb had guided the policy of Buchanan's administration in the culminating years of the political strife. In her ponderous-brained Johnson the state had furnished as a Vice-Presidential candidate on the Douglas ticket one of the pivots of the campaign. Around the name and agency of Georgia hung the most potential prestige of any Southern state. Her positive instrumentality in the drama was destined to continue. We have seen how Mr. Toombs drove the impending storm to a crisis. We shall see how from this time on, the focal figure in Georgia during the four deadly years that followed was Joseph E. Brown. He had done little during the long birth of the revolution. But when it became inevitable, his agency as a leader was something marvelous. It seemed as if nature had put him in the place for the emergency. His peculiar qualities found a fitting field for their display and the public benefit. His acts

seemed like inspirations. There was a prevision of needs, a forecaste of events, a vigor of action and a daring in responsibility, that exactly met the appalling crisis and savored of the heroic. The man seemed born for the time. The homespun mountaineer, hero of the plowing bull and the calico bed-quilt, had ripened into the acknowledged genius of a great commonwealth in the ordeal of a mighty revolution. The people, masses and leaders, looked to his cool sense, iron nerve, and resourceful capacity in this trial, and he met their demands and hopes fully. His leadership was intuitive, masterly, undisputed. He did as one made for the era.

Precisely at fifteen minutes past one o'clock on Thursday, the 20th day of December, 1860, under an ordinance of secession passed in sovereign convention, the State of South Carolina withdrew from the Union of the United States, and resumed her independent state sovereignty. That act was the first step in the great civil commotion of the century. It was the beginning of an end of illinitable extent. It was not the practical inauguration of the war, but it was the preface to it. The news stirred the South wildly. It fired the Southern people into a sort of delirium. All over Georgia the people celebrated the startling event with gatherings and speeches, and a general exhilaration. In Atlanta guns were fired at sunrise. An immense crowd assembled, and a hundred guns echoed the public joy from noon until sunset. There was a grand torchlight procession and a balloon ascension. Abraham Lincoln was burned in effigy, and Howell Cobb made a burning and powerful speech.

On the 28th, a few days later, Francis S. Bartow and O. A. Lochrane addressed the citizens of Atlanta. While Bartow was speaking, a dispatch was handed him just received, that Fort Moultrie in Charleston Harbor had been burned by the Federal troops, and the garrison had gone over to Fort Sumter, and Charleston had ordered out two regiments. The scene that followed baffles description. The audience became wild with enthusiasm. Three cheers were given for South Carolina amid such a tornado of applause as is rarely heard. The ready and impassioned Bartow, resuming his speech with folded arms, rang out with a biting sarcasm, "Yes, while you *talk* of *co-operation*, you hear the thunders of the cannon and the clash of sabers reach you from South Carolina." The applause was deafening over this. Continuing, the orator thrilled forth: "Is this gallant, noble state of South Carolina, that had the boldness to take the lead in this matter, to be left to the cold calculating of the co-operationists of Georgia?" Vehement replies

of No! Never!! Never!!! Never!!!! thundered from every part of the dense gathering.

This action of the Federal authorities in regard to Forts Moultrie and Sumter inflamed the already high war fever of the South to an overmastering fury. Even such far-sighted men as Gov. Brown were not decided that the North would attempt coercion of the seceded states. They believed that war possibly might not follow. But the Fort Sumter matter left no doubt of the Federal purpose to resist forcibly secession. The appointment of Mr. Holt as secretary of war in the place of Floyd confirmed this, Mr. Holt being alleged by Mr. Toombs to be inimical to the South, and his selection foreshadowing active hostility. Under the light of this momentous revelation of policy, so full of unspeakable results, the disunion sentiment still further increased. It was under this knowledge that the practical genius and prompt decision of Gov. Brown came into play with one of those strokes of action for which he has been noted. He began a series of daring assumptions of responsibility that made Georgia memorable, and himself famous. He took a step of decisive leadership that at once showed the people, not only of the State, but of the South, and of the rapidly disintegrating Union, that Georgia's Governor was fully equal to the needs of the emergency. And it was this step that continued the remarkable agency of this State as the most potential factor in this great strife, and it gave to Georgia whatever of glory may attach to committing the first overt act of war. Georgia, it must be remembered, was still a member of the Union. She did not secede until the 19th of January, 1861. She was in the Union, while Carolina was out of it. The seizure of the coast defenses was not only therefore a dictate of military forecaste and wisdom, but it was an aggressive act of war against the Federal government, whose authority was still operative.

Fort Pulaski at the mouth of the Savannah river commanded the approach to that city, and was the chief fortification on the Georgia coast. Quick to conceive a practical idea, Gov. Brown was as quick to execute it. In the event of war, Fort Pulaski was a military necessity to the State, and war was coming. Gov. Brown determined to seize it immediately. There had been some private movement in Savannah looking to an occupation of the Fort by the citizens of the city, but the cooler-headed men advised against such an act, and the Governor was advised of the purpose. He went to Savannah in person to decide, and promptly determined to officially order the seizure. The first regiment of Georgia Volunteers was commanded by Col. Alexander R. Lawton,

to whom the Governor issued the following order, which was carefully prepared, and explains the reasons for the act.

"HEADQUARTERS GEORGIA MILITIA,
SAVANNAH, January 2, 1861.

Colonel A. R. Lawton, Commanding 1st Regiment Georgia Volunteers, Savannah:

SIR: In view of the fact that the Government at Washington has, as we are informed upon high authority, decided on the policy of coercing a seceding State back into the Union, and it is believed now has a movement on foot to reinforce Fort Sumter at Charleston, and to occupy with Federal troops the Southern forts, including Fort Pulaski in this State, which if done would give the Federal Government in any contest great advantage over the people in this State; to the end therefore that this stronghold, which commands also the entrance into Georgia, may not be occupied by any hostile force until the Convention of the State of Georgia, which is to meet on the 16th instant, has decided on the policy which Georgia will adopt in this emergency, you are ordered to take possession of Fort Pulaski as by *public* order herewith, and to hold it against all persons, to be abandoned only under orders from me or under compulsion by an overpowering hostile force.

Immediately upon occupying the fort, you will take measures to put it in a thorough state of defense, as far as its means and ours will permit; and for this purpose you will advise with Captain Claghorn, Chatham Artillery, who has been charged with all matters relating to ordnance and ordnance stores and their supply.

You will further arrange with Captain Claghorn a series of day and night signals for communicating with the city of Savannah, for the purpose of calling for reinforcements, or for other necessary purposes. And you will arrange with Mr. John Cunningham, Military Purveyor for the time being, for the employment of one or more steamboats, or other means of transportation by land or by water that may be necessary, and for other supplies (except for ordnance stores, for which you will call upon Captain Claghorn) as may be required.

If circumstances should require it, the telegraph will be placed under surveillance.

I think from our conversation you fully understand my views, and relying upon your patriotism, energy and sound discretion in the execution of this important and delicate trust, I am, sir, very respectfully,

Your obedient servant,

JOSEPH E. BROWN,
Governor and Commander-in-Chief."

An additional order was issued by the Adjutant-General, Henry C. Wayne, in regard to the details. There was a spirited rivalry among the volunteer companies of Savannah to participate in this duty. Details from the Chatham Artillery, under Captain Joseph S. Claghorn; Savannah Volunteer Guards, under Captain John Screven, and Oglethorpe Light Infantry, under Captain Francis S. Bartow, amounting to 134 men, 50 each being taken from the infantry companies and 34 from the artillery, were made of a force to seize the fort. The seizure was made on the morning of the 3d of January, 1861. The writer was a member of the Oglethorpe Light Infantry, and was one of the detail

from that company for this duty. The seizure created the greatest excitement over the whole South. It was in accord with the spirit of the hour, and Governor Brown received unstinted encomiums for his decisive conduct. Its effect on the other Southern states was electrical and wide-spread. It stimulated the war spirit, and immediately gave Georgia the prestige that she held to the end of the conflict.

Col. Lawton in communicating the occupancy of the fort made the following statement of an incident that was regarded as an unpleasant complication, but which Gov. Brown promptly settled:

"On steaming down the river this morning I ascertained with regret that certain unauthorized persons had taken possession of the United States revenue cutter, Dobbin, and are now exercising control over her in the waters of Georgia."

Col. Lawton stated that he had taken the cutter, and expressed regret that such embarrassing questions should be presented by unauthorized persons at that critical time. Gov. Brown immediately notified Mr. John Boston, collector of the port, that the cutter was at his disposal, regretting the lawless seizure of the vessel, and the cutter was delivered to the captain.

The fort contained when thus taken, twenty thirty-two pounder guns in bad condition, and very little ammunition. Every effort was made to put the fort in order. The garrison of gentleman soldiers was put under strict military discipline. The guns were properly mounted and ammunition supplied. Drilling and practice firing were daily done. The cartridge bags for the heavy guns were furnished by the deft fingers of the Savannah ladies. Some lady sent down to the fort a fine fruit-cake iced beautifully and the word "Secession" wrought in with sugar, while another more practical, sent down a package of lint. Gov. Brown remained long enough in Savannah to see the seizure completed, and returned to the seat of government. He telegraphed an account of his proceedings to the Governors of Florida, Alabama, Mississippi and Louisiana, and received strong endorsements of his course in reply, and the intimation that his example should be immediately followed. Gov. Moore of Alabama immediately seized the forts and arsenals in that state. The minute men of Macon passed unanimously some resolutions of Charles J. Harris, Esq., approving the seizure, and pledging themselves to sustain Gov. Brown at any sacrifice. The state convention that met soon after passed this resolution:

"This convention highly approves the energetic and patriotic conduct of Gov. Brown in taking possession of Fort Pulaski by Georgia troops, and requests him to hold possession until the relations of Georgia with the Federal government be determined by this convention."

The Governor on his way to Milledgeville was received all along the line of railroad with demonstrations of approval of his course. On his arrival in Milledgeville, a large number of citizens with music and torches went to the executive mansion and serenaded him, and he made a short talk that was cheered with a hearty good will. The press was very emphatic in approval of the Governor's action. Said the Augusta *Democrat:* "He has exhibited an intelligence, firmness and comprehensive statesmanship, equaled by few and surpassed by none in the annals of the state." The Southern journals generally commended his course. The Alabama *Spirit of the South* thus paid him tribute:

"We cannot but admire the skillful and energetic manner in which Gov. Brown manages and controls the public affairs of Georgia. He takes counsel of no man's fears; listens to no timid suggestions of delay; waits for no co-operation or compromise. He turns neither to the right hand nor the left, but proceeds right onward to vindicate the honor and protect the rights of his government. He executes his plans with the nerve of a soldier and the skill of a statesman. He defies the threats of Federal power, and laughs his enemies to scorn. He is full of Jacksonian will and courage; possessing wisdom to devise and boldness and sagacity to execute. He has much administrative capacity, and in our opinion is better fitted for President of a Southern confederacy than any man in the South."

This as contemporary comment, outside of State bias, will afford some conception of how this self-reliant and resolute Executive of Georgia in that troublous day impressed impartial public judgment. A little episode occurred at this time that will exemplify the popular feeling as well as Governor Brown's spirit. The officers of the volunteer companies of Macon, Captain R. A. Smith, Captain E. Smith, Captain E. Fitzgerald, Captain T. M. Parker, Captain L. M. Lamar and Lieutenant Wm. H. Ross telegraphed to Governor Brown, asking him "if he would sanction the movement of Georgia volunteers going to the aid of South Carolina." This was the prompt response:

"I will not. Your first duty is to Georgia. South Carolina is able at present to take care of herself. *You may be needed at home very soon.*

"JOSEPH E. BROWN."

On the 9th day of January, 1860, the State of Mississippi followed the example of South Carolina and formally seceded from the Union. On the 11th of January, Florida and Alabama withdrew. Each day as it dawned brought some new contribution to the war spirit. The Federal steamer "Star of the West" attempted to run in to Fort Sumter and was fired upon by the Carolina troops in Fort Morris and driven back. It was a rising flood of combative feeling. The sense of coming conflict pervaded the most thoughtless, and serious people thrilled under

the moving stimulus. Richard R. Cuyler, the President of the powerful Central Road Company, patriotically notified Gov. Brown that his bank was ready to take one hundred thousand dollars of the bonds for the defence of the State at par. Secession cockades and badges were made by the thousand and worn openly and gaily. Some lady wore a bonnet made of white and black Georgia cotton, covered with a network of black cotton, the streamers ornamented with Palmetto trees and Lone Stars embroidered with gold thread, while the feathers were formed of white and black worsted.

The Georgia Convention assembled on the 16th day of January, 1861. The eyes of the whole Union were upon this most august body. There was an interest in its deliberations, both profound and wide-spread. It was felt to be the turning point of the real commencement of the revolution. If staid, self-poised, deliberate powerful Georgia held back from the work of disintegration it would have been such a substantial check to the destructive movement as would have done much to stop it. Georgia's cöoperation rendered the revolution sure. The Federal administration looked anxiously to our State as the crucial agency of the agitation. The people of the North focalized their attention upon this arbiter of an impending and incalculable convulsion. It was known that a majority of the people of Georgia favored secession, but the minority in favor of cöoperation and delay was a very large and powerful body of public sentiment, ably and patriotically headed. The vote taken in the election for members of the convention showed an aggregate of 50,243 for secession and 37,123 against, giving a majority of only 13,120 for immediate disunion, out of 87,366. This was a much smaller majority than Gov. Brown had obtained in his last election. In many counties the anti-seccssionists had heavy majorities. Such strong counties as Baldwin, Floyd, DeKalb, Cass, Franklin, Gordon, Gwinnett, Lumpkin, Murray, Walker, Walton and others went some of them overwhelmingly against disunion. In many counties it was the closest sort of a shave, giving either way only a vote or two. The most one-sided secession county in the whole State was Cobb, which gave 1,035 votes for and only seven against disunion. Chatham was also nearly unanimous for secession. In a very few counties no opposition candidate to secession was run. In Taliaferro and Tattnall no secession candidate was put up. These statistics will show how much the people were divided on this issue, and yet in the crazy fever of the war excitement and the more noisy demonstration of the secession champions, the opposition was almost unheard and absolutely impotent. A few brave

spirits spoke out fearlessly, and courageously endeavored to stem the rushing and turbulent tide of disunion. But the generality of conservative men feeling powerless to do anything, and unwilling to incur a certain odium that clung to men alleged to be lukewarm or opposed to Southern interest, went quietly along simply voting in the opposition.

The secession convention was the ablest body ever convened in Georgia. Its membership included nearly every leading public man in the State, the leaders of all parties and shades of political opinion. The President of the Convention was George W Crawford, who had been Governor of the State from 1843 to 1847, a gentleman of large influence and commanding ability, and for years a recognized popular leader. There was Robert Toombs, United States Senator, and for a short time Secretary of State in the Confederate Administration ; the two famous Stephens brothers, Alexander H. Stephens, Vice President of the Confederate States, and Linton Stephens, Judge of the Supreme Court. Ex-Governor Herschell V Johnson, candidate for Vice President on the Douglas ticket and ex-United States Senator; Eugenius A. Nesbit, ex-Member of Congress and ex-Judge of the Supreme Court ; Benjamin H. Hill, present United States Senator ; Alfred H. Colquitt, the present able and popular Governor of Georgia; Henry L. Benning and Hiram Warner, ex-Judge and ex-Chief Justice of the Supreme Court. There was also Augustus H. Kenan, Washington Poe, David J. Bailey, ex-President of the Georgia Senate, Gen. W T. Wofford, Francis S. Bartow, Thos. R. R. Cobb, Dr. H. R. Casey, Judge R. H. Clark, H. P. Bell, member of Congress since the war, Dr. J. P. Logan of Fulton county, one of the most eminent and scientific physicians in the State, Wm. H. Dabney, D. P Hill, Goode Bryan, Judge W B. Fleming, Henry R. Harris, member of Congress since the war, Thos. P Saffold, Judge Augustus Reese, Purmetas Reynolds, Arthur Hood now Judge, Willis A. Hawkins, since Judge of the Supreme Court, T. M. Furlow, A. H. Hansell, S. B. Spencer, since Mayor of Atlanta, P W Alexander, C. W Styles, N. A. Carswell, now Judge of the Superior Court, and John L. Harris, since then a Judge.

Among these gentlemen two were the most potential and unexpected workers for secession. Judge Eugenius A. Nesbit, the author of the Ordinance of Secession, had always been a very conservative public man. He was a small gentleman, though of great personal dignity. He possessed unusual culture and erudition. He was a christian of profound piety. He had been a Congressman and a Judge of the Supreme Court, and was known for eloquence, learning, ability, classical educa-

tion, and a moral and social character of exquisite purity. The other of these two unlooked-for disunion advocates was Thos. R. R. Cobb, like Judge Nisbet, an earnest, fervent christian worker, but who, unlike his distinguished colleague, had never taken any part in political life. He was a lawyer of marvelous industry and acumen. The secession issue aroused all the fervor of his earnest soul. The election of Lincoln threw him into the political arena, the most intense, unwearied champion of secession in the state. All of the powerful energies of his mind and will were bent upon this mission of withdrawing Georgia from the Union and establishing a Southern Confederacy. He was, as Mr. Stephens fitly called him, a sort of Peter the Hermit in this secession crusade, pursuing it with an unquenchable enthusiasm.

Nothing could more vividly show the engulfing fever of the day than the fact that such men as Dr. J. P. Logan were drawn into public activity. Leading the medical profession, he was a scientific enthusiast in his high calling. A gentleman of imposing figure and a noble face, with genial dignity of manner, combining every christian grace of character with decisive manhood, high intellectuality and rare medical skill and erudition, his interest in the movement showed how the solid strata of our best citizens was stimulated to zeal in this agitation.

Mr. Albert Lamar was made the Secretary of the Convention. Gov. Brown and ex-Gov. Howell Cobb were invited to seats upon the floor. The convention was addressed by Hon. James L. Orr, Commissioner from South Carolina, and Hon. John G. Shorter, Commissioner from Alabama, explaining the attitude of those states and seeking the cöoperation of Georgia in disunion. On the 18th of January Judge Nisbet introduced a resolution declaring in favor of secession and for the appointment of a committee to report an ordinance of secession. This precipitated the issue. For this resolution ex-Gov. H. V Johnson, acting in concert with Mr. Stephens, offered a substitute written by ex-Gov. Johnson, reciting Georgia's attachment to the Union; the assaults that had been made upon slavery and the insecurity they begat in the Southern mind; the peril that threatened the South from a hostile majority, a peril augmented by the recent secession of several Southern states; and that while Georgia could not abide permanently in the Union without new and ample constitutional guarantees, yet she was not disposed to withdraw hastily or without consultation with her Southern Confederates, whose counsel and cöoperation she invoked to secure our rights in the Union if possible, or to protect them out of the Union if necessary. The substitutes proposed an ordinance that Delaware, Maryland, Vir-

ginia, Kentucky, North Carolina, Louisiana, Texas, Arkansas, Tennessee and Missouri be invited to send delegates to a congress in Atlanta the 16th day of February, 1861, to consider the situation and devise a course. The independent republic of South Carolina, Florida, Alabama and Mississippi were invited to send Commissioners to said Congress. It was further declared in the ordinance that Georgia presented as indispensable constitutional guarantees before she could remain in the Union, congressional inability to abolish or prohibit slavery in the territories, surrender of fugitive slaves, punishment of rescue of slaves from officers, protection of slave property like other property in the territories, the admission of new states with or without slavery as the people thereof wish; the right of transit and protection for slaves, and the prohibition of negroes holding Federal office. It was further ordained by the substitute that upon any attempt at coercion of the seceded states Georgia would join them in resistance; that Georgia would hold Fort Pulaski and other Federal property until her final decision; that Commissioners be sent to the other slave states; that if all efforts fail she will help form a Southern Confederacy, and that the convention adjourn to the 25th day of February, 1861, and concluding with the unalterable determination of Georgia to maintain her rights, equality and safety at all hazards, and to the last extremity.

The discussion over this issue was elaborate, able and eloquent. Judge Nisbet, Gov. Johnson, T. R. R. Cobb, Mr. Stephens, Mr. Toombs, Alexander Means, Augustus Reese, Ben Hill and Francis S. Bartow, all spoke. It was a discussion of giants. The secession champions were Nisbet, Cobb, Toombs, Reese and Bartow, and pitted against them in favor of further attempt at a friendly settlement of troubles, were Johnson, Stephens, Means and Hill. The key-note of the secessionists, as condensed by Mr. T. R. R. Cobb in a speech of remarkable power, was, "We can make better terms out of the Union than in it!" And Mr. Stephens gave it as his opinion, that this single, focal idea of Mr. Cobb, looking to a more certain re-formation of the Union on a higher vantage ground outside of the Union, did more in carrying the state out than all the arguments and eloquence of all others combined. The sound, unanswerable position of the anti-secessionists was enunciated by Mr. Stephens in the sentence, that "the point of resistance should be the point of aggression." Secession as a remedy for anticipated aggressions was not wise or politic, and these gentlemen opposing secession believed that Georgia, standing firm with the border states in an effort to obtain a redress of grievances, would succeed. It was a grand

debate over the grandest of themes, this discussion of superior minds, trained to controversy, upon a subject involving the happiness and welfare, not only of the commonwealth, but of the nation with its millions. The debate was historic, and deserves to be pictured for posterity There is little doubt that it settled the issue—the mighty and appalling issue of war or peace. The destinies of a nation hung upon it. Had the milder policy prevailed, and Georgia been in the rôle of peace-maker, there is no telling how the end would have been. The conservative course was the wise one. It was too grave an issue and too awful a result to have been decided hastily, and not to have first exhausted every possible means of friendly adjustment in the Union. But a Higher Power was ruling the occasion. The great and mysterious ends of Providence were in process of fulfillment. The frenzy of revolution was on the people: the counsels of prudence were subordinated to the honorable resentment of a chivalric section, and the work of the emancipation of four millions of slaves progressed to its bloody and final consummation.

Ex-Gov. Johnson had moved the reference of the original and substitute to a special committee. After the debate the previous question was called and sustained, which brought the convention to a direct vote on Mr. Nisbet's secession resolution. The resolution was passed by a vote of 166 yeas to 130 nays, under all the circumstances a most extraordinary vote in its development of anti-secession views. The truth is, that some of the ablest and strongest intellects of the state and the convention opposed secession, and that measure was carried by so small a majority as to demonstrate how reluctant our people were to enter upon a violent course. Mr. Toombs was the undoubted head of the secessionists in the convention. His superb qualities of leadership, and his double leverage as a Senator in the United States and a member of the convention, with all the power and information that such senatorship gave him, equipped him for hastening the march of the revolution. He had made a speech in the United States Senate on the 7th of January, 1861, of surpassing power—a speech intended to put upon record the wrongs and the cause of the South—a speech of crushing logic and sublime eloquence. One by one he had in clear, forcible language laid down the demands of the South, and their foundation in solemn constitutional guarantees. He candidly made the striking admission, "that a very large portion of the people of Georgia prefer to remain in this Union with their constitutional rights—I would say ninety per cent. of them—believing it to be a good government." Unanswerably arguing

that the Constitution was the compact of union, he discussed every grievance of which the South complained in the light of the Constitution. The speech was full of magnificent bursts of thrilling eloquence. He concluded with this impassioned passage :

"These charges I have proven by the record, and I put them before the civilized world, and demand the judgment of to-day, of to-morrow, of distant ages, and of heaven itself, upon the justice of these causes. I am content, whatever it be, to peril all in so noble, so holy a cause. We have appealed, time and time again, for these constitutional rights. You have refused them. We appeal again. *Restore us those rights as we had them, as your court adjudges them to be,* just as our people have said they are ; redress *these flagrant wrongs,* seen of all men, and *it will restore fraternity,* and *peace and unity* to all of us. Refuse them, and what then? We shall then ask you, 'Let us depart in peace.' Refuse that, and you present us war. We accept it; and inscribing upon our banners the glorious words, 'Liberty and Equality,' we will trust in the blood of the brave and the God of Battles for security and tranquillity."

Coming to Georgia with these grim words of war upon his eloquent lips, echoing their stern spirit over the whole country, and flaming men's hearts everywhere in the broad land, he took his seat in the sovereign convention of his great state, and there resumed the fiery mission of a nation's severance. It was a wonderful work, this disintegration of a gigantic government. And looking back from a twenty years' standpoint of time, one wonders that no prescience of the immeasurable miseries that followed were vouchsafed to the architects, the undoubtedly patriotic and pure-souled architects of that act of colossal ruin and destruction. God for his own good reasons allowed no prophetic revelations of the terrible future, and the revolution went on in which a noble people, in a sacred cause of self-government, were crucified for a humanitarian wrong, for which they were not responsible. Thus inscrutably does Providence forge out its great plans.

The secession battle was fought and whipped over Judge Nisbet's resolution. After its passage the colonial flag of Georgia was raised amidst a wild excitement. It was a short work to complete the act. Judge Nisbet promptly moved that the committee to report an ordinance of secession consist of seventeen members. It was carried. The President appointed the following gentlemen:

E. A. Nisbet, chairman; Robert Toombs, H. V Johnson, F. S. Bartow, H. L. Benning, W M. Brown, G. D. Rice, T. H. Trippe, T. R. R. Cobb, A. H. Kenan, A. H. Stephens, Jas. Williamson, D. P Hill, B. H. Hill, E. W Chastain, A. H. Colquitt, Aug. Reese. Immediately after the appointment of the committee a message was received from Governor Brown in response to a resolution calling on him for any information

in his possession that would facilitate the action of the body, furnishing the ordinance of Georgia ratifying the Constitution of the United States, and also a copy of resolutions of the New York legislature tendering aid to the President to uphold the Union. The committee reported the following Ordinance of Secession:

"AN ORDINANCE

"To dissolve the Union between the State of Georgia and other States united with her under a compact of Government entitled, 'The Constitution of the United States of America.'

"*We the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained;*

"That the ordinance adopted by the people of the State of Georgia in Convention on the second day of January, in the year of our Lord 1788, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution, are hereby repealed, rescinded and abrogated.

"*We do further declare and ordain,* That the union now subsisting between the State of Georgia and other States, under the name of the United States of America, is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty, which belong and appertain to a free and independent State."

On motion of Mr. Toombs the ordinance was twice read. Ben. Hill moved, as a substitute for the ordinance, the preamble and resolutions that had been offered by ex-Gov. H. V Johnson. On this motion the vote stood 133 yeas to 164 nays, a slight gain in the anti-secession vote, though the motion was lost. Mr. Nisbet then moved the passage of the ordinance, and the vote stood 208 yeas to 89 nays, showing that 44 of the anti-secession members voted for the ordinance under the idea that its passage was a foregone conclusion and further opposition was useless, while it was necessary to give all the moral force possible to the act. Ben. H. Hill voted on this ballot for secession. But H. V Johnson, the Stephens brothers, Gen. Wofford and Hiram Warner still voted against it. The announcement of the President, Mr. Crawford, that it was his pleasure and privilege to declare that the State of Georgia was free, sovereign and independent, was followed by an applause that was tempered by the gravity of thoughtful men over a step of serious and unknown import. The hour of the passage of this momentous ordinance was two o'clock P. M., the 19th day of January, 1861. The Atlanta *Intelligencer* a year after, recalling the event, thus described it:

"There was an exultant shout, and men breathed freer and looked nobler, and felt more like freemen who had burst the shackles that had enslaved them for years. From the hall of the House of Representatives the momentous event soon reached the vast and excited multitude outside, who had crowded to Milledgeville, most of them with the

patriotic intent to urge upon the convention Georgia's right and duty to secede. The people shouted, the bells were rung, the cannon roared, the city was illuminated, and great was the rejoicing."

Mr. Nisbet offered this resolution, which was adopted:

"*Whereas*, the lack of unanimity in the action of this convention, in the passage of the Ordinance of Secession, indicates a difference of opinion amongst the members of the convention, not so much as to the rights which Georgia claims, or the wrongs of which she complains, as to the remedy and its application before a resort to other means of redress:

"*And whereas*, it is desirable to give expression to that intention which really exists among all members of this convention to sustain the State in the course of action which she has pronounced to be proper for the occasion, Therefore:

"*Resolved*, That members of this Convention, including those who voted against the said ordinance, as well as those who voted for it, will sign the same as a pledge of the unanimous determination of this Convention to sustain and defend the State in this her chosen remedy, with all its responsibilities and consequences, without regard to individual approval or disapproval of its adoption."

At twelve o'clock on Monday, the 21st day of January, 1861, the ordinance of secession was signed in presence of the Governor and State House officers, Judges, and a throng of spectators, and the great seal of State attached. The delegates all signed the ordinance, but six of them did so under protest, which is as follows:

"We, the undersigned, delegates to the Convention of the State of Georgia, now in session, while we most solemnly protest against the action of the majority in adopting an ordinance for the immediate and separate secession of this State, and would have preferred the policy of cöoperation with our southern sister states, yet as good citizens, we yield to the will of a majority of her people as expressed by their representatives, and we hereby pledge 'our lives, our fortunes and our sacred honor' to the defeuse of Georgia, if necessary, against hostile invasion from any source whatsoever.

"JAMES P. SIMMONS, of Gwinnett.
THOS. M. MCRAE, of Montgomery.
F. H. LATIMER, of Montgomery.
DAVIS WHELCHEL, of Hall.
P. M. BYRD, of Hall.
JAMES SIMMONS, of Pickens.

"MILLEDGEVILLE, GA., January 22, 1861."

This decisive act of Georgia settled the revolution. Whatever doubts had existed as to the policy or purpose of the South as to secession were dissipated. The spirit of the Georgia convention, so riven as it was by a conflict of opinion as to disunion, and yet so conciliatory and harmonious in the final action, confirmed the effect of its example abroad. Committed to secession after a stubborn conflict and close division, the State was compactly welded in its cordial support of the adopted

policy. The ship was given to the lightning and the gale against the wishes of a powerful minority of her crew, but when the venture was made, every man leaped to his post for the storm, devoted, loyal, intrepid and invincible. The news of the action at Milledgeville was flashed over the wires, carrying the inflammable intelligence. It stirred the State to delirium. Ratification meetings were held every where. Guns were fired and orators spoke their burning words. The die was cast for war, and the chivalric spirit of a brave people gave back a unanimous and deep-souled response. In the sister states of the South the effect was electrical. That solid, staunch old Georgia should throw her splendid autonomy into the current of secession created a boundless enthusiasm, and the secession crusade became irresistible.

Looking at the motives that animated the people of Georgia in this most serious step, one must admit that they were pure, conscientious and chivalric. They believed they were risking life, property and honor for liberty and self-government—for a violated constitution, whose principles incarnated the genius of republican institutions. It was eternally to their honor that they staked so much for their convictions of right. That they failed in their cherished cause detracts nothing from their heroic devotion and sacrifice to truth. That they should have been used by Providence in the execution of a humanitarian reform but consecrates their heroism.

PART II.

The Bloody Harvest of War

CHAPTER XVIII.

THE PRINCELY PROSPERITY GEORGIA STAKED ON THE WAR.

Gov. Brown's Promptness.—The Seizure of the Augusta Arsenal.—Captain Elzey.—Col. Henry R. Jackson.—Col. Wm. H. T. Walker.—Work of the Convention.—The Delegates to Montgomery.—Commissioners to Southern States.—Their Reports.—The Address of the Convention, written by Mr. Toombs.—A Summary of Georgia's Condition.—Striking Statistics.—Her Exceptional Attitude.—Sixty-two Millions Growth in a Single Year.—A Romance of State Expansion.—A Flood Tide of Progress.—Gov. Brown's Marvelous Administration.—Georgia's Largest Measure of Material Advancement under His Rule.—An Increase of 176 Millions in Brown's Four Years.—An Amazing Growth.—Georgia had Ennobled Peace.—She was to Illumine War.

FROM the date of Georgia's secession, events went forward swiftly. Gov. Brown with characteristic promptitude hastened to make practical the sovereignty of the State. The United States flag was still flying over the Augusta Arsenal. Captain Arnold Elzey was in charge of it, in command of eighty United States soldiers. During the heated public feeling before secession, the people were in great excitement over Federal occupation of the Arsenal. This excitement became almost uncontrollable when the Federal flag continued to float over the Arsenal after secession, and it was the all-absorbing theme of talk. Gov. Brown went promptly to Augusta, arriving there on the 22d of January, 1861. Colonel, afterwards Gen. Henry R. Jackson, accompanied the Governor as his aid. The following communication was addressed to Captain Elzey:

"AUGUSTA, GA., Jan. 23, 1861.

"CAPT. ARNOLD ELZEY, U. S. A., Commanding Augusta Arseual:

"*Sir.*—I am instructed by his Excellency, Gov. Brown, to say to you that Georgia, having seceded from the United States of America, and resumed exclusive sovereignty over her soil, it has become my duty to require you to withdraw the troops under your command at the earliest practicable moment, from the limits of this state.

"He proposes to take possession of the Arsenal, and to receipt for all public property under your charge, which will hereafter be accounted for, on adjustment, between the State of Georgia and the United States of America.

"He begs to refer you to the fact that the retention of foreign troops upon the soil of Georgia, after remonstrance, is, under the laws of nations, an act of hostility; and he

claims that the State is not only at peace, but anxious to cultivate the most amicable relations with the United States Government.

"I am further instructed to say that an answer will be expected by to-morrow morning, at nine o'clock.

"I am Sir, Very Respectfully,
Your Obedient Servant,
HENRY R. JACKSON.
Aid de Camp, etc."

Captain Elzey refused to give up the Arsenal, and telegraphed the situation to the authorities at Washington, receiving at one o'clock at night this reply:

"WASHINGTON, Jan. 23, 1861.

"CAPT. ARNOLD, SECOND ARTILLERY, Commanding Augusta Arsenal, Ga.:

"The Governor of Georgia has assumed against your post and the United States an attitude of war. His summons is harsh and peremptory. It is not expected that your defense should be desperate. If forced to surrender by violence or starvation, you will stipulate for honorable terms, and a free passage by water with your company to New York.

"T. HOLT, *Secretary of War.*"

During the day of the 23d the volunteers of the city were ordered out, and some 800 troops responded. The refusal of Captain Elzey to surrender created the exciting prospect of a battle, and hence every man turned out that could raise a uniform and gun. Troops came in from the country. The companies out were the Augusta Battalion, companies A and B of the Minute Men and the militia, all under the immediate command of Lt. Col. Cumming. Brig. Gen. Harris had general direction, aided by Brig. Gen. Williams of Columbus. Col. Wm. Phillips was on the Governor's staff. Gov. Brown determined to make no hostile demonstration on the 23d, but to allow Captain Elzey a day for consideration. The troops were dismissed until the 24th, at nine o'clock, A. M., when they reassembled and were just about to march for the Arsenal, when Capt. Elzey sent the following communication, which caused a countermanding of the order to march.

"HEAD QUARTERS AUGUSTA ARSENAL,
GEORGIA, Jan. 24, 1861.

"*Sir*,—I have the honor to inform you that I am directed by Captain Elzey, commanding this post, to say, in reply to the demand of the Governor of the State of Georgia, made through you yesterday, requiring him to withdraw his command beyond the limits of the State: he begs to request an interview with his Excellency, the Governor, for the purpose of negotiating honorable terms of surrender at as early an hour this morning as practicable.

"I have the honor to be, very respectfully,
Your Obedient Servant,
J. C. JONES,
Lieut. 2d Art. Adg.

"To COL. H. R. JACKSON, *Aid de Camp.*"

At ten o'clock Gov. Brown, with Generals Williams and Harris, and his staff, Col. H. R. Jackson, Col. Wm. Phillips, Lt. Col. M. C. Fulton, Lt. Col. C. V Walker, and Lt. Col. Henry Cleveland rode to the Arsenal, where the terms of surrender were agreed upon.

1. The United States flag was to be lowered and saluted.

2. The company to march out with military honors.

3. A receipt to be given for the property with a view to future adjustment.

4. The company to retain its arms and property, to stay in its quarters until withdrawal from the State, and to have passage to New York by Savannah. The State obtained a large quantity of valuable ordnance and munitions, among them a fine battery of two twelve-pound howitzers, two cannons, twenty-two thousand muskets and rifles, many of them of the best kind, and heavy stores of powder, grape and other ammunition.

After the arrangements were completed, a cordial exchange of friendly courtesies was had. Col. Wm. Henry Walker crossed the room and heartily shook hands with Capt. Elzey, assuring him that he had done all that a brave officer could. A silent embrace was Capt. Elzey's reply, and the incident filled with tears the eyes of those who witnessed the touching incident between these two old army friends, suddenly placed in hostile relations to each other. The two were at West Point together. Col. Walker was afterwards made a Major General in the Confederate army. He was the possessor of a courage that bordered upon the desperate. He was peculiarly unfortunate, having been frightfully wounded on three separate occasions in his service before the war, once being literally shot to pieces. He was finally killed in the battles around Atlanta.

The garrison was called out and the four field pieces used in firing the salute. Thirty-three guns were fired, one for each star on the old flag, Georgia included. The flag descended from the staff between the thirty-second and thirty-third fire. All of the officers of the company, and some of those with the Governor had seen active service under it. Col. Jackson through the Mexican war. As the flag fell from the staff, a deep feeling of pain and regret was entertained. Refreshments were ordered by Capt. Elzey, and a number of toasts were pledged, several of them deserving preservation. Col. Jackson offered this feeling and memorable sentiment: "The flag of stars and stripes, may it never be disgraced, while it floats over a true Southern patriot." This toast was warmly appreciated by the officers of the

Federal company, who were Southern officers. Governor Brown, while not drinking wine, proposed a toast to Captain Elzey, in which he paid that officer a merited and generous compliment.

Gov. Brown returned immediately to Milledgeville. At three o'clock Gen. Harris, with twelve of the Washington Artillery, and a squad of the Oglethorpe Infantry, proceeded to the Arsenal and took possession. At half past four the representative flag of Georgia was formally raised, a pure white banner with a large red five-pointed star in the center, the symbol and the emblem of the state's supreme sovereignty. Salutes were fired with two cannon belonging to the Washington Artillery; one gun for the sovereignty of Georgia; five guns for the seceded states; and fifteen for the prospective Southern Confederacy. In commenting upon Gov. Brown's judicious execution of this duty, the Augusta *Constitutionalist* complimented him upon the fact that he used every effort to preserve peace between the State and the United States, and it used these words: "Our State may well be proud of her Governor." It was apprehended at one time that bloodshed would ensue; but the prompt and overwhelming demonstration of force, giving time for a calm knowledge of the situation, resulted in the peaceable surrender of the post with its incalculably valuable stores for the great conflict so soon at hand. This episode added to the enthusiasm of the hour, and stimulated the war feeling. Captain Elzey afterwards became a General officer in the Confederate army.

The work of the State Convention proceeded rapidly. Ordinances were passed in quick succession, perfecting the details of sovereign rule, in regard to citizenship, the courts, inter-state slave trade, postal arrangements, and other matters. Delegates were elected to the Southern Convention to meet at Montgomery on the 4th of February, 1861. These were:

State at Large.—Robert Toombs and Howell Cobb.

1st District, Francis S. Bartow; 2nd District, Martin J. Crawford; 3d District, Eugenius A. Nisbet; 4th District, Benjamin H. Hill; 5th District, Augustus R. Wright; 6th District, Thomas R. R. Cobb; 7th District, Augustus H. Kenan; 8th District, Alexander H. Stephens.

This was a very strong delegation. Some complaint was made by the extreme secession press at the selection of B. H. Hill, A. H. Kenan and A. R. Wright, on account of their not having been secessionists. The Convention selected also Commissioners to send to Southern states that had not seceded. The persons chosen were:

For Virginia, H. L. Benning of Muscogee.

For Maryland, A. R. Wright of Richmond.
For Kentucky, H. R. Jackson of Chatham.
For Tennessee, H. P. Bell of Forsyth.
For Missouri, L. J. Glenn of Fulton.
For Arkansas, D. P Hill of Harris.
For Delaware, D. C. Campbell of Baldwin.
For North Carolina, Saml. Hall of Macon.

Col. Henry R. Jackson declined to serve, and Dr. W C. Daniell was appointed in his stead. W J. Vason had been previously chosen as Commissioner to Louisiana, and J. W A. Sanford, Commissioner to Texas.

Reports of their mission to these states were made by Campbell, Sanford, Wright, Hall, Daniell, Vason and Bell. Col. D. P. Hill, the Commissioner to Arkansas, proceeded to that state and remained three months at work, and did not return until Arkansas seceded, at which time the Georgia Convention had adjourned, and his report was never made. He labored faithfully, however, canvassing the state of Arkansas from one end to the other. Col. L. J. Glenn went to Missouri, but had a difficult time, meeting with much trouble in his mission. The reports of the Commissioners constitute a very interesting series of papers, and are embodied in the Journal of the Convention. Col. Campbell found in Delaware a Legislature hostile to secession, and hence limited his work to a brief letter to Gov. Burton, who transmitted it to the General Assembly without comments. Col. Campbell predicted that when Virginia and Maryland seceded, Delaware would do so. Ranse Wright, the Commissioner to Maryland, found Gov. Hicks of that state uncompromisingly opposed to secession, and if a disruption was made he favored a Central Confederacy, including New York, Pennsylvania, New Jersey, Delaware, Virginia, Missouri and Ohio, and was then in correspondence with the Governors of those states upon the subject. An unofficial convention of secessionists was in session in Maryland, but adjourned until some time in March. Col. Wright thought the people of Maryland would take the matter in their own hands and join the South. The letter of Col. Wright to Gov. Hicks was a very eloquent and able presentation of the issues involved.

The report of Samuel Hall, the Commissioner to North Carolina, represented a most cordial reception from the Governor, the legislature and citizens of that state. He addressed the legislature in a speech of elaboration and power, that concluded with an eloquent anticipation of the future glory of a Southern Confederacy His mission was a success

in this, that the legislature submitted the question to the people whether a convention should be called. Dr. Daniell was able to do nothing in Kentucky. Wm. J. Vason, the Commissioner to Louisiana, addressed the legislature of that state, but found the state up to the neck in secession. Col. H. P Bell, the Commissioner to Tennessee, found the people against secession, but Governor Harris was confident they would come to it in time. Col. Luther J. Glenn went to Missouri and faithfully executed his mission. He had a troublesome time, but overcame the difficulties manfully

The Convention continued in session until the 29th of January, 1861, when it adjourned to meet in Savannah. A number of important matters were ordained, among them, the reduction of the Senate of the state to a body of forty-four members, as it has been ever since and is now. The Congressional Districts were increased from nine to ten. The Governor was authorized to raise two regiments of troops for state defense.

The address of the Convention upon the Ordinance of Secession as reported by Mr. Nisbet, chairman of the committee of seventeen, was written by Mr. Toombs, and was a masterly review of the causes that induced Georgia to secede. It is a clear, concise, ringing statement of the issue, pithy, concentrated and forcible. Arraigning the Republican party for its crusade against slavery, the great question of slavery is the burden of the paper. The address concludes in these sinewy sentences. The people of Georgia

"Know the value of parchment rights in treacherous hands, and therefore they refuse to commit their own to the rulers whom the North offer us. Why? Because by their declared principles and policy they have outlawed three thousand millions of our property in the common territories of the Union, put it under the ban of the Republic in the states where it exists, and out of the protection of Federal law every-where; because they give sanctuary to thieves and incendiaries who assail it to the whole extent of their power, in spite of their most solemn obligations and covenants; because their avowed purpose is to subvert our society, and subject us, not only to the loss of our property, but the destruction of ourselves, our wives and our children, and the desolation of our homes, our altars and our firesides. To avoid these evils, we resume the powers which our fathers delegated to the Government of the United States, and henceforth will seek new safeguards for our liberty, equality, security and tranquillity."

A summary of the condition of Georgia in the year 1860, the year before the great civil war, will not be out of place for the purpose of practically presenting the stupendous changes wrought by the revolution. The statistics are striking ones, and demonstrate how sturdily this powerful Southern State adhered to the Confederate cause in that

most gigantic strife of the world's history, and to what extent she devoted her men and means to what she espoused. It is a matter of well-grounded doubt if any State in the Union displayed greater heroism. And while she thus practically did her duty in sending her sons and giving her resources to the cause, she held a singular and exceptional attitude in firmly antagonizing every measure of the Confederate government that she thought an encroachment upon constitutional law and liberty. Her record in this particular is romantic and impressive in the extreme. She fought to the last some of the most pronounced measures of the Confederate government, arguing and protesting against their policy, and yet in every case giving the substantial aid called for under such measures. Amid the direst necessities of the conflict she sought to preserve the principles of a constitutional government. She gave men and money whenever called for, more than called for. She prided herself upon the promptitude with which she obeyed every requisition for soldiers. But she made a decided stand for the Constitution whenever she thought Confederate legislation invaded its principles or imperiled its integrity, and when the final history of the war comes to be written, several of her conflicts of argument with the Confederate government, conducted by her stern-souled Executive, will stand as historic constitutional land-marks. As will be seen hereafter, she was destined to be the theater of controlling gigantic operations for a long period, culminating in that famous "Sherman's march to the Sea," which quartered the ill-fated Confederacy and proved the most destructive blow the Southern cause received.

The statistics are taken from the report of the Comptroller General of the State, Col. Peterson Thweatt, an officer who instituted the splendid system, and has been noted for his accuracy and industry. The aggregate wealth of Georgia in 1860 was $672,322,777 Some idea of the extraordinary progress Georgia was making at that period in material prosperity, may be understood from the fact that the gain of the state for 1860 over the year 1859, was the wonderful sum of $62,732,901. Could there be a more striking example of growth? Over sixty millions in a single year. The fact reads like a romance. It suggests the sudden expansion of the golden Eldorados of the West. Georgia was marching forward with a giant stride. No wonder that she had won spontaneously the noble distinction of the "Empire State of the South." It was an honor due to her magical advancement, and her imperial resources. The details of her aggregate wealth showed the largest single element of wealth to be her slaves, 450,033 in number,

and worth $302,694,855. Her land that paid tax was 33,345,289 acres, worth $161,764,955. City property stood valued at $35,139,415; money and solvent debts, $107,336,258; merchandise, $15,577,193; manufactories, $4,034,252; other unmentioned property, $42,427,295. Her polls were 99,748, which added to the voters not subject to poll tax, gave her fully 110,000 voters. Of free persons of color there were only 1,225.

There were 25 banks doing business in the State with a capital of $17,000,000, of which they employed $9,028,078. Savannah had nine of these banks using $5,101,337 of capital, and Augusta six with $2,675,000 capital. The State indebtedness was the small sum of $2,670,750, and the assets consisted of the Western and Atlantic Railroad, which had cost $4,441,532, and which paid into the treasury $450,000 in 1860, or over ten per cent. interest upon cost, and other property worth $807,025. The rate of taxation was then 6 1-2 cents on the $100, making a revenue of $400,000. The income of the state was not only adequate for the yearly expenses of every description, but even at the low rate of taxation, was furnishing a surplus fund for redeeming a large amount of bonds not due, anticipating the maturity of indebtedness. The prosperity of the State was something amazing. She was rushing forward with an accelerating sweep. It was a very flood tide of weal for a grand and expanding empire. The population was 1,023,801, of which the white part was 576,719, and the colored 447,082.

But in looking at the superb condition of Georgia in that eventful year of 1860, so remarkable for its luxuriant prosperity as well as for the inception of a strife that dashed the proud State into the very dregs of a woe and poverty as absolute and boundless as her former stately fortune, it is an act of justice to credit to the administration of Governor Brown its agency in this achievement of progress, whose details we have given. The statistics will show the striking fact that, from the beginning of the state government to the present time, with a record of some very brilliant periods of chief magistracy, Gov. Brown's régime of four years, from November 1857, to October 1860, gave to Georgia the largest measure of material growth she has ever had. This is vast praise, but it is due. These four years of Joseph E. Brown's executive management stand out the one unequaled and infinitely superior epoch of state progress. Like a towering pyramid amid an unbroken stretch of ordinary structures, this historical period of culminating power and splendor under the derided slave-ocracy of the South,

is a grand monument to the administrative genius of our Governor from Gaddistown, the common-sense outcome and exponent of the Woolhat masses.

In 1856 the state's property was $495,516,224, and in 1860, $672,322,777, and the stupendous and unparalleled increase in four years, $176,811,553. The first year the increase was 33 millions, the second year 11 millions, the third 70 millions, and the 4th 62 millions, making the amazing total of 176 millions in 48 months. It would be declared an incredible thing as a prospective achievement. It stands a consummated historic fact, proven by solemn official records, whose correctness has never been disputed. But let us look into the details of this unprecedented enlargement of wealth and power. Giving their proper credit to development and to an improved and more rigid return of property, the undeniable reality exists that in these magical four years the state grew with the expanding power of a giant under the positive brainful rule of Gov. Brown.

Slave property had increased 33,298 in numbers and $92,260,221 in value; land had enhanced $30,034,969; city property had grown $8,957,798; merchandise had extended in commercial bulk, $6,360,105; and money and good debts had swelled the huge amount of $30,260,042. These are surprising figures, and create greater surprise, when it is remembered that Gov. Brown began his official rule at a time of bank suspension and commercial distress, in which he had formulated a policy of his own in contravention of the views of capitalists and trade kings—a policy looking alone to popular interest and the welfare of the masses. Not only this, but he boldly resisted a legislative doctoring of the financial evils that was in sympathy with the wishes of the financial monarchs, who were alone supposed to possess the ability to give relief. It was a daring attitude that he assumed, involving the restriction of bank privilege and the curbing of the money power. He was threatened with an "Illiad of Woes" for the state as the logical sequence of his theory, and it took a boundless degree of personal nerve to stand to his views in the face of such menace and prophecy of disaster. The result was out of all probability. A scheme of law, that while giving the broadest proper latitude to the transaction of bank capital which engineered commerce, at the same time restrained with an iron hand those illicit speculations that abused popular confidence and led to widespread financial distrust and ruin, was the very one to preserve the state from monetary trouble, and was the ideal of Gov. Brown, for which he fought and was savagely berated. That the state grew so marvelously and presented

such a development so rapidly after commercial depression, enhances the prestige of Gov. Brown's administration.

It must ever be a subject of profound regret that the unprecedented progress of Georgia was checked in the very hour of its increasing sweep. Looking back to the condition of Georgia in 1860, it would seem that Providence was making her and her people objects of especial favor. She was leading the South in substantial advancement. She was foremost in the national councils. She had a prodigal affluence of eloquence and statesmanship among her citizens, giving her power and fame. She had a future of immeasurable possibilities. It was in the line of her supremacy that she was so potential in precipitating the revolution. Her sublime energies from this culmination of her princely prosperity were to be henceforth directed to the mad destruction of war instead of the arts and aims of peace, in which she had made such incredible strides. The transition but illustrated her native greatness. Her genius had ennobled peace; it illumined war; and the very wreck that she left of her proud and peerless prosperity attested her courage, chivalry and patriotism.

CHAPTER XIX.

THE RAPE OF THE GUNS.

Gov. Brown's Audacious Reprisal upon New York.—The New York Authorities Seize some Georgia Guns —Gov. Brown demands Them of Gov. Morgan.—No Answer.—The Seizure of New York Ships at Savannah by Henry R. Jackson.—Tart Correspondence between Governors Brown and Morgan.—The Guns Ordered Released.—The Ships Released.—The Guns Retained.—The Ships Re-Seized.—Spicy Press Comment.—Action of New York Legislature—Federal Congress and Confederate Cougress—The Theme of National Discussion.—Gov. Brown's Pluck —The Ships ordered Sold.—The Guns Released.—Justice Torn from Unwilling Hands.—The Confederate Congress Rasped Brown.—The Augusta *Constitutionalist*.—Brown for Confederate President.—Georgia Holds Public Attention.

We come now to an occurrence that gave basis to the most dramatic episode connected with Georgia's war record, a bold reprisal upon the State of New York, and which brought Gov. Brown to the attention of the people of the whole Union in a manner that made him for the time the most marked man of the day. It established his character permanently for resolute audacity and intrepid will. It added a flattering prestige to the State abroad, and fixed Gov. Brown, if possible, more firmly than ever in the popular esteem as the undeniable leader for the turbulent war times upon which we had fallen.

The firm of D. C. Hodgkins & Sons of Macon, had purchased two hundred guns in New York, and had them shipped on the steamer Monticello for Savannah. There were thirty-eight boxes of muskets altogether in the shipment, the balance over the two hundred, belonging it was said, to the State of Alabama. The New York police seized these guns on the 22nd of January, 1861, without any lawful authority, and placed them in the State arsenal. Hodgkins & Sons were notified of the seizure and immediately sought Gov. Brown, furnishing him proof of their ownership. The Governor first satisfied himself as to the justice of Hodgkins' claim, and then began a correspondence which grew to be very tart before it was finished, and involved a conflict between the Governors of New York and Georgia, the two "Empire States," that excited a deep interest, created a varied commentary over the whole country and resulted in a complete victory for Gov. Brown.

On Saturday, the 2nd of February, 1861, Gov Brown sent the following dispatch to Gov. Morgan of New York in regard to the matter.

"EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., Feb. 2, 1861.

HIS EXCELLENCY GOV. MORGAN, Albany, N. Y.:

"*Sir*,—I have before me satisfactory evidence that two hundred muskets belonging to D. C. Hodgkins & Sons, citizens of this State, were placed on board the ship Monticello, at New York for Savannah, and were seized by the police of that city on or about the 22nd of January last, and taken from the ship and are now detained in the State arsenal in the city. As Governor of Georgia I hereby *demand* that the guns be immediately delivered to G. B. Lamar of New York, who is hereby appointed my agent to receive them. I trust no similar outrage may be perpetrated in future.

"You will oblige by communicating your decision immediately by telegraph.

"Very respectfully, your obedient servant,

"JOSEPH E. BROWN."

It perhaps will serve to show the temper of those days that the ordinary ceremonious etiquette between the chief magistrates of two great States was wholly waived, and the controversy at the beginning assumed the hard tone of the prevailing spirit of sectional bitterness. Polite phrases were dispensed with at once. Gov. Brown waited until Monday, the 4th of February, 1861, to hear from Gov. Morgan, but receiving no reply, he telegraphed the operator at Albany to learn if the dispatch had been delivered to Gov. Morgan. The reply was that it had. Upon this, Gov. Brown, with that decisiveness that he was wont to display under such, as well as all circumstances, issued the following order to Col. Henry R. Jackson, his aid de camp in Savannah:

"EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., Feb. 5th, 1861.
Half-past 9, P. M.

"I have demanded of the Governor of New York, the prompt delivery to my agent for D. C. Hodgkins & Sons, citizens of this State, of their guns, seized by the police of New York, on board the Monticello, and deposited in the arsenal of that state. The demand has been delivered to him. He has had a reasonable time and has made no reply. I am determined to protect the persons and property of the citizens of this state against all such lawless violence, at all hazards.

"In doing so, I will, if necessary, meet force by force. I feel it my duty in this case to order reprisal. You will therefore direct Col. Lawton to order out sufficient military force, and seize and hold, subject to my order, every ship now in the harbor of Savannah, belonging to citizens of New York. When the property of which our citizens have been robbed is returned to them, then the ships will be delivered to the citizens of New York who own them.

"JOSEPH E. BROWN.

"Col. H. R. JACKSON, Aid de Camp, Savannah, Georgia."

After the issuance of this order to Col. Jackson, Gov. Brown received

a dispatch from Gov. Morgan acknowledging the receipt of the first dispatch, alleging that certain arms had been detained in New York, but saying "its grave character and unofficial form forbid him from taking action in regard to it without better authenticated information." Gov. Morgan's dispatch concluded by saying that a response was given to enable Gov. Brown if the first dispatch was "veritable" to communicate his wishes by letter. The reply of Gov. Morgan was unfortunate in several respects, especially in connection with the prompt methods and unyielding temper of Gov. Brown. Such a dispatch to verify the authenticity of the first one could have been sent immediately. The delay indicated, what was afterwards shown, a disposition to trick in the matter. Gov. Brown was neither insensible to the discourtesy of silence, nor willing to lose his chances of redress by delay or subterfuge. The terms of the reply excited his suspicion of Gov. Morgan's fair dealing. Wary and resolved, he permitted Col. Jackson to proceed in making the seizure of vessels, so as to be upon perfectly equal terms with Gov. Morgan. A less firm or vigilant person would have acted on Gov. Morgan's evasive telegram, which probably was inspired by information of the order of reprisal.

On the 8th, Col. Jackson seized the following vessels: the brig Kirby; bark, Adjuster; brig, Golden Lead; schooner, Julia, and bark, Golden Murray. Col. Lawton effected the seizure. Detachments of the Phœnix Riflemen under Captain George Gordon were placed in charge of the ships, with instructions not to molest crew or cargo. On the 8th, the same day, Gov. Brown wrote fully to Gov. Morgan detailing the whole matter. After a recapitulation of the facts, Gov. Brown thus continued and concluded this plain-spoken letter.

"I am unable to perceive what reasou you had to doubt that my dispatch was *veritable*. It was dated at the Executive Department and sigued here by me. You also object to it on account of its unofficial form. It is not only dated at this Department, but I expressly state that I make the demand as *Governor of Georgia*. I am not aware of the additional language which your Excelleucy would cousider requisite to give to a demand of this character official form!

"A lengthy official correspondeuce in this case is neither invited or desired. The outrage was a public one. Citizens of this state have beeu robbed of their property in your state by officers under your control. As the Executive of Georgia, I have demanded its re-delivery to its owners. My demand when met, has been met evasively, by raising a technical objection to its form, which has no foundation in fact, as a simple refereuce to the demand itself will show. The case is one, therefore, which requires action, uot lengthy diplomacy. I have the honor therefore to notify your Excellency of the seizure of the vessels above mentioned under my order, aud that I shall hold them uutil justice be done the iujured citizens of this state, above named, by re-delivery of the

guns to them or to G. B. Lamar of New York, whom I have appointed my agent to receive them. If the property seized as reprisal belongs to citizens of New York, who are friendly to the cause of justice and truth, and the equal rights of the people of the Southern states, I shall regret the inconvenience to which they may be exposed.

"I cannot forget, however, that my first duty is to protect the citizens of this State against the lawless violence of the officers or citizens of other states. If, in so doing, incidental injury should be done to orderly and law-abiding citizens of such offending state, for just and full indemnity they must look to their own government, which has brought the injury upon them.

"I trust your Excellency may have no difficulty in arriving at the conclusion that this communication is 'official' and 'veritable.'"

At the hour of nine o'clock P. M., on the 9th of February, the day after his letter was written to Gov. Morgan, and before it was received, Gov. Brown received this telegram:

"NEW YORK, Feb. 9, 1861.

"The arms have been put at the command of the owners here: please release all vessels. "G. B. LAMAR."

Upon receipt of this dispatch Gov. Brown telegraphed to Col. Jackson:

"I have just received a telegram from G. B. Lamar, my agent in New York, stating that the arms have been put at the commands of the owners. The object for which the seizure was made having been accomplished, and the rights of the citizens of this State having been vindicated, you will order vessels seized to be immediately released."

Gov. Brown also replied by telegram to G. B. Lamar that he had ordered the release of the vessels. But the matter was not to end here. The subject was very fully discussed, and especially the law of reprisals. The Governor's authority to resort to this arbitrary remedy was clearly shown by quotation from Vattèl's "Law of Nations." The Savannah *Republican* took issue on the matter with the Governor, and condemned his course as hasty, and endorsing Gov. Morgan's action in requiring the dispatch to be authenticated. Public sentiment in the State was, however, almost unanimously in favor of Governor Brown's action, and there was much tart commentary on the Savannah *Republican*. Out of the State the Governor was highly commended. The Charleston *Courier* said he was "the man for his place and for the times." The Richmond *Despatch* said there was a "broad grin over everybody's face at the lightning-like rapidity with which the New York police *let go the guns*." The New York *Herald* dubbed Gov. Morgan's act as "the climax of absurdity, folly and political iniquity," and further declared that:

"Gov. Brown will find an abundant justification of the act he has ordered in the responsibilities of his position, and in the necessity of indemnifying private citizens, who are his constituents, for an unwarrantable robbery committed by our police, for which they could obtain no other redress. It is the very nearest thing to a civil war,

but let the blame rest where it belongs, upon the Republican Executive of New York, whose atrocious usurpation of powers that do not belong to him, has led to such a sad result."

The New York *Herald* of the 8th contained a paragraph that Gov. Morgan assumed that the arms were intended to be used against the Federal government, and felt bound by his official oath to interfere. And such was, undoubtedly, his motive, and he was sustained by the Republican press of the North. Mr. Toombs telegraphed from Milledgeville to Fernando Wood, mayor of New York city, asking about the seizure, and saying, that a reply was important to us and to New York. Mayor Wood replied, that the seizure had been made, but that the city of New York should in no way be held responsible for the outrage. As mayor he had no authority over the police. If he had the power, he said, he would summarily punish the authors of the illegal and unjustifiable seizure of private property. A dispatch was also sent to Cromwell & Co., agents in New York of the steamer Monticello, from parties in Savannah, stating that the seizure of the arms had created excitement, and asking if they could not get the arms back, as retaliation was feared. The matter stirred so much public interest, that it was made the subject of a resolution in the New York Legislature, requiring the metropolitan police commissioners to report to the House by what authority, if any, they ordered the seizure and detention of the arms. The resolution, however, was voted down. Henry C. Wayne, Adjutant-General of Georgia, addressed a brief communication to the New York *Herald*, correcting the erroneous statement, that the State of Georgia had purchased the arms.

Early after the seizure, the law firm of Munn & Parsons of New York, representing W H. D. Callender, cashier of the State Bank of Hartford, Conn., demanded of Mr. Kennedy, superintendent of the police, the arms. Kennedy referred the matter to his counsel, and finally peremptorily refused the demand, and a writ of replevin was served upon him, when he placed the arms in the custody of Sheriff Kelly. The agents of the seized ships were in constant telegraphic communication with their owners in New York. Mr. G. B. Lamar was notified of Gov. Brown's purpose to seize the ships, and was preparing a dispatch advising against the course when he received information of the seizure. In Washington, Congress took up the matter, Hon. John Cochrane of New York offering a resolution directing the Secretary of the Treasury to inform the House, whether he had any official information on the subject, and he further gave notice of his purpose to call up and press

to a passage a bill previously introduced, providing for the protection of the commercial interests of the nation against flagitious attacks upon them by the seceded states.

The matter, it will be seen, was for the time the theme of national discussion, as well as of home interest. It was even molding national legislation. But in spite of promises it was unsettled, and it was destined to test still further Gov. Brown's pluck and persistence, and evoke Confederate legislation against Gov. Brown's course, which was as powerless as all the other agencies at work to stop the resolute Executive in his protection of Georgia citizens and Georgia rights. Mr. Lamar was informed that the guns were at the command of their owners and, as has been stated, so notified Gov. Brown, who ordered the release of the ships. Mr. Lamar waited upon Mr. Kennedy, and to his surprise was informed that he had changed his mind and would not deliver up the arms to any person except the sheriff, until compelled to do so by law, and would also make further seizures of "contraband articles." The New York *Herald* announced the delivery of the arms, but the New York *Tribune* denied that they had been given up, probably acting on partisan information.

In this state of things Governor Brown met the new issue as squarely as he had the old one. He instantly ordered another seizure of vessels. There appears to be well-grounded doubt for implicating Gov. Morgan in the treachery that was used, and the retention of the arms after their delivery had been agreed upon. In fact he denied to a *Herald* reporter that he had ever ordered any seizure at all of the arms, and expressed the opinion that the whole thing had originated in a late charge of Judge Smalley to the grand jury. And a letter was published alleged to have been written by him to Funch and Meincke in New York city, owners of the bark "Adjuster," at the first seizure, advising them to go into the courts for their rights, giving the opinion that the retaliation was unjustifiable, and that if idemnity could no where else be obtained, the Federal government itself would in a last resort be liable. The *Herald* was disposed to place the responsibility either upon Superintendent Kennedy or the police commissioners, to whom he owed his appointment.

Gov. Brown's second order of seizure to Col. Henry R. Jackson was issued on February 21st, 1861. His letter of instructions was quite full, going with considerable detail into the occurrence. In this he stated that Mr. John Boston, the collector of the port of Savannah, had received word that the guns had been delivered up. He also

referred to Gov. Morgan's silence on the subject. It was clearly evident that it was the settled policy of the New York authorities to subject Southern commerce to a dishonorable surveillance, and to seize our property and plunder our citizens at their pleasure. He added these strong and manly words:

"Under these circumstances I feel that I, as the Executive of Georgia, would prove recreant to the high trust reposed in me by my fellow-citizens, were I to refuse to protect their rights against such unprovoked aggression, by all the means which the law of nations, or the constitution and laws of this state have placed at my command. It therefore becomes my duty again to direct you to call out such military force as may be necessary for that purpose, and to renew the *reprisals* by the seizure, as soon as practicable, of vessels in the harbor of Savannah, or other property in the city, or elsewhere within your reach, belonging to the state, or to citizens of New York, at least equal in value to double the amount of the original seizures made by you. You will hold the property so seized, subject to my order; and it will be released when the guns in question (together with any other property of our citizens which has been or may in the meantime be unlawfully seized by the authorities of New York) are actually shipped from the harbor, and are beyond the reach or control of the police of the city of New York or the authorities of that state."

In response to this order Col. Jackson seized three ships, the Martha J. Ward, the bark Adjuster and the brig Julia A. Hallock. Gov. Brown then wrote on the 25th of February, 1861, to Gov. E. D. Morgan, notifying him of the new seizure, and concluding with this information of the additional steps he should take:

"Should I fail to receive official information from your Excellency, prior to the 25th March next, that the guns above mentioned have been delivered to their rightful owners, or to G. B. Lamar, my agent, and that he has been permitted to ship them from the Port of New York to Savannah, I shall on that day, cause the vessels above named, to be sold in the City of Savannah, to the highest bidder, and out of the proceeds of the sale I shall indemnify the injured citizens of this state against the loss sustained by them on account of the unjust and illegal seizure and detention of their property by the authorities of New York. That you may not fail to receive this notice, it will be sent to you at Albany, in duplicate, by different mails."

Of the three vessels last seized the bark Adjuster was freighted with a cargo of cotton belonging to British and Russian subjects. Proof of this was furnished to Col. Jackson and by him forwarded to Gov. Brown, who at the intercession of the representatives of the British and Russian governments, permitted the bark to be released and proceed to sea instead of compelling them to unload and seek another ship. This was done to cultivate friendly relations with foreign powers and throw no obstructions in the way of foreign commerce. This release of the bark Adjuster was made on the 28th of February, 1861. On the 2nd of March, 1861, executive order was issued to Col. Jackson to adver-

tise the two remaining ships for sale on the 25th of March for cash. The advertisement of the sale was published, and would have been carried out, but on the 18th of March, G. B. Lamar telegraphed that the ten cases of arms had been delivered and were on their way to Savannah. Discerning that they were powerless against Governor Brown's summary and unalterable methods, the New York authorities wisely gave in and released the guns. The Governor, on the 22nd of March, upon entirely satisfactory proof of the release of the guns, concluded this novel altercation by ordering Col. Jackson to release the vessels. The order ended with these characteristic words:

"It is to be hoped that the annoyance and losses to private interests occasioned by the lawless, unprecedented and wholly unjustifiable conduct of the New York authorities, and the ultimate vindication of the right by the steps I have been constrained to take, will prevent the recurrence of any like complication in the future."

The Provisional Government of the Confederate States had been organized on the 9th of February, 1860, and the Provisional Congress was in session in Montgomery. This Congress condemned the action of Governor Brown in seizing these vessels, on the ground that it was wrong in Gov. Brown to take such independent State action, as this was the province of the Confederate government. It is needless to say that the censure weighed not a feather in the estimation of the intrepid and independent Executive of Georgia, whose action was based upon a careful and deliberate investigation of his authority, and under a sense of duty as to the protection he owed the citizens of Georgia. Nor did it swerve him one hairs-breadth from his course. It was a specimen of his practical and direct ways that he went straight to results. While the Confederate states' authorities with the multiplicity of great matters upon them, would have necessarily treated this as a minor affair, and pursued it leisurely and with ceremonious diplomacy, sending special envoys and using elaborate manifestoes, Gov. Brown took the short path to success, and wasting time upon no formalities or circumlocution, he made his peremptory demand, and when it was refused, enforced it with an iron-handed retaliation that asked no favors and granted none, but tore justice from unwilling authority.

The matter was pending from the 22d day of January to the 22d day of March, 1861, just two months, and engrossed as the public mind was with the secession of states, the disintegration of the Union, and the formation of a new government, this striking controversy between the two leading states of the hostile sections, involving sacred rights and testing strong remedies, held the popular thought and even evoked the

official consideration of both national governments. Some idea can be formed of how Gov. Brown's conduct in the affair impressed men from a lengthy editorial in Mr. Gardner's paper, the Augusta *Constitutionalist.* This editorial began by saying that the distinguished gentleman who occupied the Executive chair of Georgia had made sundry marks upon the records of the present, that time will not readily erase, and which the pen of the historian of those days will not forget to copy. It reviewed some of his leading acts of rule. Among other things it showed how, when events were crowding upon each other's heels, and while the Federal administration was amusing South Carolina with empty pledges and really occupying the impregnable walls of Sumter, Governor Brown, without the firing of a gun, displaced the Stars and Stripes, wherever they floated on Georgia soil. It took up the last act of the Governor in his daring reprisal upon New York. It referred to the charge that had been made, that Gov. Brown had, in this, made a political move for the Presidency of the Southern Confederate States. It showed that even the New York *Herald*, the leading journal of the Western world, had in an able discussion of the matter, shown that the policy of reprisals had been conceived and urged upon the legislature of Georgia, by Gov. Brown, in his famous special message on the crisis, and that he was acting in conformity with a settled policy. This editorial was remarkable in its unqualified tribute to Gov. Brown's statesmanship, as coming from a paper owned by a defeated rival for the governorship and which had persistently fought him. It declared that Georgia was indebted to South Carolina for this superb Governor, and it used this culminating language:

"He may reasonably expect anything, for from the poor boy of Pickens, South Carolina, he became a Georgia lawyer of good reputation, the Judge of the Superior Court of the Blue Ridge Circuit, then Governor of Georgia; Governor again by the largest majority ever given in the State; and as a distinguished Congressman once remarked to us, 'We might as well send him to the Senate, and nominate him for President, for he is bound to go through, and that will be the quickest way to get rid of him.'"

CHAPTER XX.

THE BIRTH OF THE CONFEDERACY AND THE SHADOW OF WAR.

Georgia Congressmen Withdraw.—Joshua Hill Resigns.—Southern Convention.—Howell Cobb its President.—Georgia Leading.—Toombs and Tom Cobb governing spirits.—Jeff Davis, President, A. H. Stephens, Vice-President.—Martin J. Crawford, Commissioner to the United States.—His Mission Ending in a Haughty Defiance.—Brown's Vigorous War Preparations.—The Leap to Arms.—Georgia War Appointments.—Davis Speaks through Georgia.—The First Confederate Flag in Georgia.—Capt. G. W. Lee.—The Secession Convention in Savannah.—George W Crawford's Exquisite Speech.—The Spirit of the South.—Fighting Providence.—Troops Organized.—Guns Ordered.—The Seizure of the Dahlonega Mint.—Old Harrison Riley.—Gov. Brown's Admirable Tact in Dealing with the North Georgia Union Sentiment.—The United States Flag in Pickens County.

On the 23d day of January, 1861, all of the Georgia Representatives in Congress, except Hon. Joshua Hill, withdrew from the body in a letter addressed to Hon. William Pennington, Speaker of the House. The letter recited the fact of Georgia's secession, quoting the ordinance and concluded thus:

"The sovereign State of Georgia, of which we are representatives in this House, having thereby dissolved the political connection between that State and the Government of the United States, and having thereby repealed the ordinance of 1788, by which the Constitution of the United States was ratified, and having resumed all the powers delegated to the Federal Government, we hereby announce to you that we are no longer members of the House of representatives of the United States Congress. Martin J. Crawford, Peter E. Love, Thomas J. Hardeman, Jr., Lucius J. Gartrell, John W H. Underwood, James Jackson, John Jones."

Hon. Joshua Hill did not withdraw, but resigned in the following brief letter to Mr. Pennington, dated the 23d of January, 1861, also.

"*Sir*,—Satisfied as I am, that a majority of the convention of the people of Georgia, now sitting, desire that the State should no longer be Represented upon this floor, I in obedience to this wish of the people's representatives, hereby resign the seat I hold as a member of this House."

Mr. Hill, upon the seizure of Fort Pulaski by Gov. Brown, had made a speech in opposition to this action of the Governor. This speech was made in Congress, and on the 24th of January a large number of citizens of Geneva, Talbot county, assembled and hung Mr. Hill in effigy

Alexander H. Stephens

for this speech. Gen. Scott was also burned in effigy by the students of Franklin college. Mr. John Boston, collector of the port of Savannah, resigned his place. The flag of Georgia was immediately hoisted on the staff over the custom house by Major Lachlan McIntosh, who had resigned from the United States army. The flag raised was of a neat design, bearing the coat of arms of the State, surmounted by six stars, the number of the seceded states. Over the whole was an eye. The flag was white, with the stars all deep red save Georgia, which was blue.

At 12½ o'clock on the 4th day of February, 1861, the convention of the seceded states met in Montgomery, Alabama. Hon. Howell Cobb was made permanent president, and J. J. Hooper of Alabama, secretary Georgia, Florida, Alabama, Louisiana, Mississippi and South Carolina were represented. A provisional government was formed; and on the 9th of February, 1861, Jefferson Davis was elected Provisional President, and Alexander H. Stephens Vice-President. There is no doubt but that Mr. Toombs was expected to be the President. The Georgia delegation held a meeting, all being present except Mr. Hill and Mr. Wright, and agreed to present the name of Mr. Toombs. It was subsequently rumored that Mr. Toombs said his name was not to be presented, and it was then determined, if this was true, that the Georgians would support Mr. Davis for President, and Mr. Stephens for Vice-President. The motion to put Mr. Stephens in the second place, if Mr. Toombs should not be presented for the first office, was made in the Georgia delegation by Mr. Kenan and seconded by Mr. Nisbet. The name of Howell Cobb was also spoken of, but some of the delegations from Carolina, Florida and Alabama, who heard of the proposition to elect Mr. Cobb were unwilling to support him on account of old party conflicts. Mr. Toombs did forbid the use of his name, and Davis and Stephens were unanimously chosen. It will thus be seen that Georgia carried into the new Southern movement the same controlling influence that she had been accustomed to wield, furnishing a President for the convention, two strong men for the Presidency of the Government, and the Vice-President of the Confederacy. Mr. Toombs and Thomas R. R. Cobb were the leading spirits of the committee to draft a constitution for a permanent government, and Mr. Bartow, chairman of the military committee. On the 18th of February, 1861, Jefferson Davis was inaugurated as Provisional President, and he made Robert Toombs his Secretary of State. A commission of three persons was appointed by Mr. Davis under resolution of the Confederate Congress, to go to Washington and negotiate friendly relations with the United States

Government. This commission consisted of Hon. Martin J. Crawford of Georgia, John Forsyth of Alabama, and A. B. Roman of Louisiana. Mr. Crawford of Georgia was the leading spirit in this important commission, clothed as it was with powers of the broadest extent and most delicate responsibility, in the settlement of the great and difficult questions that involved the two governments.

Mr. Crawford and Mr. Forsyth proceeded immediately to Washington, arriving there just as Mr. Buchanan was about retiring from office. On the 12th of March, 1861, they addressed a communication to Mr. Wm. H. Seward, Secretary of State under President Lincoln, notifying him of their mission and asking the appointment of an early day to present their credentials and enter upon their duties. On the 15th of March, Mr. Seward prepared what he termed a "Memorandum," declining official intercourse with Messrs. Crawford and Forsyth. Under various pretexts and infinite duplicity the decision of Mr. Seward was withheld and the commissioners deceived until the 8th of April, when it was delivered to them, they remaining under pledges that Fort Sumter would be given up to the South, and a peaceful solution of troubles be made. The commissioners on the 9th of April addressed a reply to Mr. Seward—a powerful, incisive document, in which they clearly set forth the attitude of the seceded states, and the duplicity that had been shown to them. They declared that the refusal to entertain their overtures connected with concurrent action of the United States government was viewed by them, and could only be received by the world, as a declaration of war against the Confederate States. They climaxed this declaration with these haughty words:

"The undersigned, in behalf of their government and people, accept the gauge of battle thus thrown down to them; and appealing to God and the judgment of mankind for the righteousness of their cause, the people of the Confederate States will defend their liberties to the last against this flagrant and open attempt at their subjugation to sectional power."

Georgia was still in the lead of this great revolution. Her destiny seemed inevitable for a foremost agency in the now certain strife. It was through one of her bold sons that a peaceful solution of the matter was sought, and when that failed, that the prompt, ringing, defiant acceptance of the issue was with heroic emphasis and a lofty spirit formulated to the foe and the world. The war was a settled fact. The retention of Sumter, the war-like preparations and the refusal to treat with the Southern Commissioners, were simply the preface to the bloodshed so soon to come. Both sides girded for the fight. Georgia espe-

cially, under her prompt and thorough-going Governor, went to work in dead earnest, getting ready for genuine war. The people, though they had been divided in the policy of disunion, rallied to the cause when it was decided. There was a considerable union element in the mountain section that clung to the Federal government, and that stood stubbornly union to the end. It was quite a liberal sprinkling of the citizens populating the hilly belt far from the railroads, but with this exception the million of Georgia inhabitants backed loyally the Southern cause. Voting not much over 100,000 citizens, the state of Georgia gave 120,000 soldiers to the war, or 20,000 excess of her voting population. This constitutes a wonderful record of chivalry, not surpassed in the world's history.

The war flush was on the state, and there was a good deal of demonstration of enthusiasm, but with a settling of the public mind to the business of fighting, there came a deeper real intensity, more quiet. We felt the heat, but the flash diminished. Men, too, were right noisy over the situation. There was much flurry, and occasionally the enthusiasm boiled over, but the consciousness of serious work ahead made thinking people serious, and toned down the effervescence. There was an unbounded confidence in the future, save among a few. The leaders believed in success. The masses exaggerated the ease of whipping out the North. There was a curious and strange undervaluation of the so-called Yankee as a fighter, the belief prevailing that one sturdy Southerner could vanquish several Northerners. This idea prevailed largely, and gave an over confidence to our soldiers. Such men as Herschell V Johnson and John E. Ward doubted the final success and were profoundly depressed. But the general feeling was buoyant and hopeful. Gov. Brown promptly proceeded to organize the two regular regiments authorized by the Convention. He appointed as Colonels, William J. Hardee and Wm. H. T. Walker; Lieutenant Colonels, Chas. J. Williams and E. W Chastain; Majors, L. B. McLaws, Wm. M. Gardner, Alfred Cumming and E. R. Harden. Among the other officers appointed were Joseph Wheeler, afterwards Lieutenant General of Cavalry, W W Kirkland, R. H. Anderson, Alfred Iverson, Jr., Geo. P. Harrison, Jr., and J. Alexander, Brigadier Generals, and P. M. B. Young, Major General.

Jefferson Davis came through Georgia on his way to Montgomery, to be inaugurated as President of the Confederacy. His trip from Chattanooga to Atlanta, and thence to Montgomery, was an ovation. At Ringgold, Dalton, Resaca, Adairsville, Cartersville and Marietta he

was greeted by crowds. Atlanta sent a delegation to meet him, of which Dr. W F. Westmoreland was a member. Bartow county was then called Cass county, and its name was afterwards changed in honor of Francis S. Bartow. Mr. Davis made a speech at Cartersville which he thus commenced.

"Georgians—for by no higher title could I address you—your history from the days of the Revolution down to the time that your immortal Troup maintained the rights of your State and of all the states, in his contest with Federal usurpation, has made Georgia sacred soil. Nor have you any reason to be other than proud of the events recently transpiring within your borders, and especially the action of your present Governor in wresting from the robbers of the North the property of your own citizens which they had stolen. His promptitude in demanding the property from the Governor of New York, and in seizing the vessels of citizens of New York, when the demand was not immediately complied with, is worthy of all praise."

In Atlanta the demonstration was a magnificent one. Over 5,000 people gave him a reception. Mayor Jared I. Whitaker introduced him to the vast concourse. In his speech he paid high tribute to Georgia. At every point on the Atlanta and West Point railroad crowds gathered to do him honor. At Newnan, Miss Burney Dougherty was delegated to present him with a large bouquet. On the 5th day of March, 1861, the first Georgia company was tendered for the Confederate service and accepted. It was an Atlanta company called "Lee's Volunteers," and commanded by Capt. G. W Lee. In connection with this event, the flag of the Southern Confederacy was first raised in the State of Georgia. Capt. Lee was returning from Montgomery to Atlanta after his mission. The passengers obtained at Grantville the requisite material, and the flag was made on the train between Grantville and Fairburn, by Mrs. W T. Wilson and Mrs. H. H. Witt of Atlanta, Miss L. Smith of Albany, Ga., Mrs. Chas. Wallace of Knoxville, Tenn., Mrs. R. F. Butt of New Orleans, and Mrs. S. A. Awtry of Cusseta, Ala. Col. W T. Wilson presented the flag to Capt. Lee in a stirring speech, to which Capt. Lee replied eloquently. Judge Blalock of Fairburn, and J. W Beal of Lagrange also spoke. Capt. Lee paraded in Atlanta the next day with his company under this flag, which was an exact copy of the first flag of the Confederate States that had been raised in Montgomery, on the 4th of March, 1861. The flag was composed of a blue union with seven stars in a circle, representing the seven Confederate States, with three equal horizontal stripes of red, white and red. The incident created much enthusiasm.

The Georgia Secession Convention resumed its session in Savannah, on the 7th day of March, 1861, and continued its deliberations until Sat-

urday, the 23rd day of March, when it adjourned *sine die*. The Constitution was unanimously ratified on the 16th day of March. The Governor was authorized to raise and expend all of the funds necessary to carry out the acts for public defense, both by issuing bonds and Treasury notes. Resolutions were passed offering to cede ten miles square of territory for a capital and permanent seat of government for the Confederate states. The control of military operations, and forts and arms was transferred to the Confederate government. A new state constitution was adopted. The president of the convention, ex-Gov. George W Crawford, made an address upon its adjournment, brief, but with some very strong and sententious expressions. Complimenting the body upon its dignity, he thus continued:

"When first assembled there was less disagreement as to the burthen of our grievances than to their remedy, and especially as to the time of its application. Happily, conciliation produced concord. When our common patroness spoke, her sons, less from opinion than instinct, forgetful of the past, and mindful of the future, rallied to the rescue. Clasping each other with a fraternal grasp, they were less intent on sharing in the glory than participating in a common peril and a common destiny. Thus may the sons of Georgia ever be.

"You have overturned a government which had become sectional in policy and sectional in hostility. It had lost nationality, and the first requisite of every government—that of protection of person and property. True you have overthrown the Federal Union, but you have preserved the Federal Constitution. You have retained ancestral wisdom in the formation of your government, separated only from those abuses which experience has developed. In short you have effected a political reformation."

These words, so happily chosen, so concisely and clearly put, are remarkable in the definition they present of the loyal devotion of our people to the idea of our constitutional government. Never were any people more faithful to a principle than the South was in the late war to the genius of true republican theory—to the very incarnation of chartered liberty. It must stand as an unalterable truth, that the millions of the South tried to shatter the Union, the better to preserve the constitution and its holy principles. No men were ever truer to the spirit of a government than the seceding Southerners. They understood and felt, and believed its doctrines, and they sought to enforce them when they conscientiously deemed them in danger. And so the verdict of a just and impartial posterity must be. They miscalculated the method, and they staggered under the incubus of slavery, which closed to them the practical sympathy of the world, as well as that higher and more valuable support, the aid of the Divine Providence. Weaker people than ours have conquered more formidable odds. Our defeat must ever be incredible in the light of the glowing history of successful human

resistance. But in the illumination of a great Providential plan to uptear a million-rooted evil against human freedom, our failure is lustrously explicable. We fought, not men, but a Providential destiny.

The convention turned over matters of arms and soldiers to the Confederacy, but Gov. Brown was too provident to cease his organization of State military He continued to organize the volunteer force. He contemplated creating two divisions, appointing Col. Henry R. Jackson Major-General of the First division, and Col. Wm. H. T. Walker Major-General of the Second division; and Paul J. Semmes of Muscogee and Wm. Phillips of Cobb, Brigadiers. Only one division was found practicable, and Gen. Walker was appointed to command it, Gen. Henry R. Jackson generously relinquishing his own chances and urging Walker for the command. Gov. Brown had contracted with an iron company in Pittsburg, Pa., for a large number of cannon of large caliber and long range for coast defense, but when the guns were made, such was the prejudice of the people of that city against the seceding states, that the contractors declined delivering the guns and abandoned the contract. The Governor gave a new contract to the Tredegar Iron Works of Richmond, Va., and procured these guns from that source. In order to stimulate the building of a foundry for casting cannon, the convention passed an ordinance offering a bonus of $10,000 to any one erecting such a foundry as could furnish three guns a week, and should make a 10-inch columbiad at an early day.

The United States mint at Dahlonega, which had some $20,000 of gold coin belonging to the United States government, was taken possession of in a way that demonstrated the discrimination that Gov. Brown exercised in his difficult rôle at this time. Reference has been made to the Union sentiment existing among the mountain people. At the time the secession ordinance passed, Gen. Harrison W Riley, a leading politician of Lumpkin county, declared that he meant to seize and hold the mint for the United States. The bold avowal created some excitement and alarm, as the extent of the Union feeling in North Georgia was not known. Gov. Brown was intimately acquainted with the people of that section and knew precisely how to deal with them. The convention promptly passed an ordinance making it treason for any person to be concerned in any attempt to give aid to the enemies of the State. Gov. Brown did not deem it advisable to make any show of military force in the mountain section, but thought it best to trust to the patriotic spirit of the masses there. Gen. Riley, while a very illiterate man, was a very influential one; a bluff, eccentric, determined spirit, with a wonderful

local popularity. The report of his threat to seize the mint was telegraphed to Gov. Brown, and a strong pressure was brought to bear upon him, by several leading men of the State, to send troops at once and secure the mint by force, and not permit the rebellious old Riley to get a foothold. The Governor knew Riley well from his boyhood, and was satisfied that a very large element in his course was a desire to attract notoriety, and that he was too shrewd to undertake a rebellion against the State in North-east Georgia, unless advantage was given him; and that with so large a proportion of Union sentiment as there was in that section of the State, if any difficulty was raised with Riley about the mint, the popular sympathy would have been with him, and there would have been serious trouble. Gov. Brown stated this to the gentlemen who approached him on the subject, and told them as he knew Riley well and had been partly raised in that section of Georgia, he would manage the matter rightly if they would leave it to his discretion. A few days afterwards the Governor wrote to several prominent citizens of Dahlonega, telling them that he had heard such a report in reference to Gen. Riley, but had known him too long and had too high an appreciation of his good sense and patriotism to believe he would attempt such a thing, and that as old, personal friends he and Riley must have no collision. The Governor did not think it best to write to Riley personally, but wrote to friends who would communicate the facts to him. This course had a soothing effect upon Riley; and toned him down. The Governor also quietly notified the superintendent of the mint that the State now held and possessed it. The superintendent formally recognized the authority of Georgia over and her right to the mint, and consented to act under the Executive, who gave him written orders. If any military support was needed the Governor would give it. It shows the inflamed spirit of the day that, not understanding the course of the Governor, several of the papers condemned his seeming inactivity in making a demonstration upon the mint; but it was all right when understood.

Another incident in connection with Pickens county will show with what consummate tact Gov. Brown dealt with the Union feeling of the northern part of Georgia. At Jasper, Pickens county, where the Union loyalty was very ardent, a United States flag was raised upon a pole, soon after secession, and kept afloat in bold open defiance of Confederate authority for several weeks. It was just such an incident as could have been injudiciously inflamed into a local breach that would have given infinite trouble during the whole war, and resulted in an

angry, cancerous and unhealable sore in our very midst. The provocation was very irritating to the people after we had seceded, to have the flag of the repudiated Union floating defiantly, the insulting symbol of a rejected authority, the aggressive emblem of a hostile power seeking our subjection. Appeals upon appeals were made to Gov. Brown to send troops to cut it down. To all of these the astute Executive was wisely deaf. He preferred to let the Union ebullition spend its force. There were very few slaves in that section, and in consequence the slavery sentiment was not strong, while the devotion to the government was very ardent. The veneration for the United States flag was especially earnest. Gov. Brown declined to have the flag cut down. He said:

"By no means; let it float. It floated over our fathers, and we all love the flag now. We have only been compelled to lay it aside by the injustice that has been practiced under its folds. If the people of Pickens desire to hang it out, and keep it there, let them do so. I will send no troops to interfere with it."

The flag continued to float for a while, until the people became ashamed of this sort of action, and took it down themselves without any disturbance whatever; and the county soon after came in with its troops, and did good service in the Confederate cause.

As a further evidence of Gov. Brown's sagacious diplomacy in dealing with this tender-footed section with its intense Union drift, his conduct in the acceptance and organization of troops may be mentioned. Mr. Davis, the President of the Confederacy, made a requisition upon Gov. Brown for the first Georgia regiment that was called into the Confederate service, to go to Fort Pickens at Pensacola, to aid in its defense. Gov. Brown made a call for troops. Some idea of the booming war fever may be gleaned when it is stated that over 250 companies were tendered for this service, out of which one regiment was to be selected. There was the greatest possible jealousy among the Captains of the different companies, each being anxious to secure a place in the regiment. The companies were selected according to priority of the date of their tender, a list having been kept, and the time when each was offered being carefully noted. The only exception made to this rule was in the single case of the tenth company, which he gave to the corps of Captain Harris of Dahlonega, and the regiment was detained two days at Macon before the organization was completed, waiting for Harris's company to reach there, as the Governor learned they were on their way. The delay was occasioned by the company having to march from Dahlonega to Atlanta. On their arrival the preference was given

to them in arms, accoutrements and equipments, conceding to them the best of everything. These courtesies were written home to their friends, who were among the good families of Lumpkin county, and they were written by men then in the service of the Confederacy. Their friends, of course, took an interest in them, and their feelings naturally began to be drawn out after them. The result was that when another call was made, Lumpkin county tendered another company.

A company was tendered from Fannin county, away across the Blue Ridge. A place was left for the Fannin men until they had marched to Atlanta, where regiments were being organized, and they were put in in the same manner. This policy was pursued, giving preference to the mountain companies in every case. In this way the Governor soon had one or more companies in the service from each county in that section; and it was not long until the great mass of the people there had changed about, and stood with their friends who had gone into the Confederate service. Some, it is true, remained Union men to the last, and some few gave trouble, but not a great many. Had a different policy have been pursued and coercion been attempted, or any unkind means used against them at the start, there would have been serious trouble with that section of Georgia. As it was by this astute and well-considered course, pursued with tact and persistence, a large and troublesome Union element was not only neutralized, but absolutely enlisted in the cause heartily. In nothing that happened did Gov. Brown more beneficially use his shrewd practical judgment for the South than in this matter. It was a serious peril and he discerned it at once. But for this masterly management, North and North East Georgia most probably would have become as dangerous a union stronghold as the memorable country of East Tennessee. The value of Gov. Brown's statesmanship in this peril has never been understood or appreciated. But it was a great service, timely, and of an inestimable benefit.

Governor Brown began to purchase arms before the legislature passed the act calling the secession convention, and he pressed the matter vigorously, importing every weapon he could until the firing upon Fort Sumter cut off our means of purchasing them from the Northern States. Even after that time, however, until the blockade was considered a serious obstruction, the importation of arms into the state was continued by Governor Brown. No state in the South did so much in this matter of furnishing armed troops to the Confederacy as Georgia did under Gov. Brown's vigorous administration. Fully thirty regiments were turned over to the Confederate government armed with weapons

bought by the State of Georgia. And in addition to these, there was a large number of arms retained for our state troops.

Governor Brown was authorized to purchase some boats for coast defense, which he did immediately, placing this little navy in charge of that heroic old seaman, Commodore Josiah Tattnall, who had resigned from the United States navy and offered his services to his native state. The strong points upon the coast around Brunswick were fortified to the best of our means, and manned with six months' troops.

CHAPTER XXI.

THE BLAZING WAR FEVER OF THE FIRST OF 1861.

The State a Military Camp —Eagerness to Enlist.—Pecuniary Sacrifices.—Miss Henrietta Kenan.—"Mrs. Joe Brown's Boys."—Forty Georgia Regiments by October. —Gov. Brown's Marvelous Energy.—The People's Demand for Him to be Governor a Third Time.—The Famous Letter of Thomas C. Trice —"No Time for Fool Parties or Swelled-Head Governors."—The Striking Press Comment.—"The Man for the Times."—The First Georgia Regiment.—The Volunteers' Privilege of Electing Officers.—Gov. Brown's Ardent Speech.—The Great "Corner-Stone." Speech of Alex. Stephens.—The Most Momentous Utterance of the Century.—Its Immeasurable Effect.—The Anti-Slavery World Set against Us by It.—Georgia's Continuance of a Dominant Factorship in the Struggle.—Georgia Troops for Virginia.—Hardeman's Battalion —Military Ardor and Womanly Grief.—The Oglethorpe Light Infantry.—Brown and Bartow.—The Rape of The Guns.—A Hot Controversy.—"I Go to Illustrate Georgia."—Col. A. H. Colquitt —Bad Practice of Enlistment.

DURING the year 1861 the military activity in the State of Georgia was incessant and ubiquitous. The commonwealth was one vast recruiting camp. The roll of the drum and the stirring notes of the fife resounded from mountain to seaboard. Hill and valley echoed to the tread of armed men gathering, organizing and leaving home and comfort for the tented field and the soldier's life. It was a wild time—a continuous day of fevered enthusiasm. Men, women and children participated in the exaltation of patriotic spirit. There was no looking back. A brave people had turned their energies to war, and they went at it as a business. The war spirit boomed like a storm. The rivalry to enlist was universal and unquenchable. Letters poured in upon the Governor seeking commissions for perilous service, until the burden became so heavy that he was forced to advertise in the papers that he did not have the clerical labor to even answer. For every requisition of troops there was a fifty-fold proffer of eager soldiers. Such a spirit of willing chivalry as was exhibited was never exceeded in the annals of warfare. And to show the character of the men and organizations, a cavalry company in Rome, the Floyd Cavalry, represented a money property of $730,000 among 40 men, while another of 35 men in Milledgeville, the Governor's Horse Guards, stood for two and a half millions of wealth on the tax books.

All over the State citizens were offering to make pecuniary sacrifices for the cause. Gov. Brown himself, subscribed and paid one thousand dollars toward the support of the Georgia troops in the service, and determined to appropriate the net income of his farm to the same great cause. His wife devoted her time, as did thousands upon thousands of other noble and delicate women, to making clothing for the soldiers. Miss Henrietta Kenan, of Milledgeville, a daughter of Col. Augustus H. Kenan, a brilliant, queenly woman, tendered to Gov Brown in behalf of herself and her mother, for the use of the state, their silver plate of considerable value. The Governor said if it became a necessity he would accept it. A company was organized below Gaddistown, in Fannin County, and named "Mrs. Joe Brown's Boys." In recognition of the compliment, Mrs. Brown, the wife of the Governor, fitted this company with a suit of clothes, purchasing the cloth in Milledgeville and making and sending one to each member. All over the state voluntary generous patriotism was shown.

Some idea may be formed of how gloriously Georgia responded to the demands upon her manhood, from the fact that up to the first of October, 1861, she had sent forty magnificent regiments to the battle field. This makes a grand fact in her war record. And during this whole seething time Gov. Brown stood the central figure and guiding intelligence, winning opinions that seem almost extravagant, so laudatory were they of his energy, management and patriotism. His genius for organizing was something marvelous. His cool impetuosity and comprehensive forecast, his wise audacity and calculating, methodical ability for any occasion, were matters of universal recognition and panegyric. The Southern press united in admiring his peerless administration, while the people and press of Georgia idolized him. In the midst of all of the sweeping war excitement the thoughts of the people, clear in advance of the end of his term began to look to him for the unprecedented distinction of a third term, of gubernatorial service.

Early in March, 1861, a communication appeared from Mr. Thomas C. Trice of Pike county, urging the people of Georgia without distinction of party to re-elect Gov. Brown. The letter of Mr. Trice was a plain, brief, matter-of-fact document, striking right to the point in a few homely words, but it had a wonderful effect. There are times when men make a happy strike by voicing the public thought. Said Mr. Trice in his homely way:

"I do not believe there is another man in Georgia, who is every way as well calculated for Governor as Joseph E. Brown. I do not mean by this that Joe Brown has more

sense than everybody else. I mean just what I say—that no man in Georgia will make such an Executive as Joe Brown, and therefore I think that he should be re-elected.

"We need just such a plain, sensible, practicable man as Joe Brown is to attend to the Executive business of the State, while we try to make bread at home. It is no time now for fool parties among farmers, nor for swelled-head Governors. We need strict economy at home, and prudent, plain, investigating men to manage our State affairs."

This sententious, blunt-spoken expression of choice started a deluge of responses from all parts of the state endorsing the idea. Mr. Trice awoke to find himself famous as the unexpected announcer of a universal notion. His crisp letter was a formulation of the public wish. Some of the endorsements were in very strong words. One writer declared Gov. Brown, "with the single exception of Jefferson Davis, as first in the affections and confidence of the Southern people," and said that he was wanted in the Senate of the Confederate States. At that time, and since, it has been asserted that Gov. Brown aspired to Confederate office. But a day or two ago in the United States Senate, where Gov. Brown now is, Senator Mahone of Virginia asserted that Gov. Brown desired to be President of the Confederate States. There was not the slightest basis for such an assertion. As will be later seen, Gov. Brown had the honor of a Cabinet position in his grasp. But it is the truth that he had not only no wish for any Confederate office, but under no circumstances would he have given up the place of Governor of Georgia for any position in the gift of the people. His measure of ambition was to serve his state as Executive. Perhaps the most comprehensive summary at the time of the estimate in which Gov. Brown was held in those days, and at the same time the most vivid picture of the situation, are found in the following editorial from the Georgia *Forester*, which was universally copied then. The writing was headed, "THE MAN FOR *The Times*," itself a volume of meaning. The editorial thus discoursed:

"Perhaps there never was a time when strong will, iron nerve and common sense, combined in a single character, were more to be valued, or when they were more needed than in the present crisis. A great revolution, civil and political, is progressing. One of the most powerful governments on earth is fast crumbling to pieces, and in its convulsive death-struggles shakes the civilized world. The wildest passions are blazing with infuriate madness from the breasts of thirty millions of people.

"Amid this war of elements, this storm of contending factions, and this whirlwind of evil passions, there is one man who stands like the towering sea-built rock, that breasts, breaks and scatters the angry, surging waves. One who calmly watches the quick, revolving wheel of events, and with daring intrepidity and dignified deliberation confronts every issue that is presented, and foils every effort to circumvent his movements or to interrupt his quiet progress. Conscious of the vast responsibilities that rest upon

him, and appreciating fully the dangers that surround and threaten to engulf the glorious ship he commands, with iron nerve and a will that increases in strength and rises in grandeur as he approaches the Scylla and Charybdis of his voyage, right onward he directs her course and bids defiance to the swelling wave and the lightning flash. Firm in the right, with truth in his heart, and God o'er his head, he *acts* while others pause to reconnoitre and negotiate; and wins the victory, while others stop and calculate the cost of defeat.

"Combining wisdom with patriotism, prudence with nerve, and boldness with justice and deliberation, Joseph E. Brown is emphatically the man for the times."

These strong words bear the mark of the intensified fervor of the time which called them forth, but they constitute a remarkable tribute for any man to win, and they show the part Joe Brown was enacting and the manner in which he was impressing days when force and equipoise were the regnant and inexorable qualities for leadership. From this time on the idea of the blunt-phrased Trice for Brown's re-election went on steadily to consummation, over-riding custom with the resistless current of the popular will,—that incarnation of the voice of God as embodied in the voice of the people.

Returning to the current of war progress, the organization of the first regiment for Pensacola at Macon, was a matter of general state interest. Gov. Brown went over and reviewed and addressed the troops. The companies consisted of the Augusta Oglethorpe Light Infantry, Capt. Clark; Augusta Walker Light Infantry, Capt. Camp; Dahlonega Volunteers, Capt. Harris; Bainbridge Independent Volunteers, Capt. Evans; Forsyth Quitman Guards, Capt. Pinckard; Atlanta Gate City Guards, Capt. Ezzard; Perry Southern Rights Guard, Capt. Houser; Newnan Guards, Capt. Hanvey; Sandersville Washington Rifles, Capt. Jones; Columbus South Guards, Capt. Wilkins; Etowah Guards, Capt. Larey; Ringgold Volunteers, Capt. Sprayberry; Macon Brown Infantry, Capt. Smith; and Macon Independent Volunteers, Capt. Adderhold.

The appointment of officers by the Military Department of the Government has been the practice of war and of regular armies of professional soldiers; but the privilege of the election of officers by the men they command is the delight of volunteers, the outcome of the spirit of our free institutions, and the very foundation of an efficient volunteer service. It was this privilege, so dear to our volunteer soldiery, that inspired one of the historic controversies that Gov. Brown had afterwards with President Davis. It was under this system of election that all of our State regiments were organized, except the 1st Georgia Regulars, which was raised under a special law of the convention. The election for field officers for the regiment bound for Pensacola, was held

at Camp Oglethorpe, as it was appropriately named, and resulted: James N. Ramsay, Colonel; J. O. Clarke, Lieutenant Colonel; and G. H. Thompson, Major; Col. Ramsay was a Lieutenant, and beat Captains Jones and Pinckard. The regiment was organized the 3d of April, 1861. On the 5th, Gov. Brown reviewed the troops before a vast assemblage, and then delivered an eloquent and powerful speech, full of an impassioned feeling unusual with him, that stirred an over-mastering enthusiasm. He retrospected concisely but burningly the causes and progress of the revolution. In his references to their mission, he was especially happy. He said truthfully, "My whole soul is in this movement, and my heart swells with emotions I cannot utter." He concluded amid a prolonged burst of applause with these solemn words:

"Go then, and may the God of battles go with you, and lead, protect and defend you, till the last foot-print of the invader shall be obliterated from the soil of our common country."

One company of this regiment was the Bainbridge Volunteers, uniformed in coarse flannel shirts, and pantaloons of the coarsest negro cloth, yet representing over a million dollars of wealth. A battalion was organized at the same time, with Capt. Larcy as major.

It was but a few days before this that Hon. Alexander H. Stephens delivered a lengthy speech to an immense audience in Savannah, that went over the civilized world. It was a remarkable utterance in many respects, but in nothing more remarkable than in being regarded as one of those advance pioneer expressions of a cardinal idea of new and original statesmanship, that are only formulated by master minds, and come but once in generations of men. The great eloquence of the man, the wonderful attraction attaching to him in view of his slender physical tenure of life, so disproportioned to his genius, the exalted position he held as Vice-President of the new Confederacy, and the resultant authoritative character of this deliverance, all made the speech a marked one. But the great theory of the address—a bold, immense and revolutionary innovation upon the settled convictions and prejudices of mankind—gave the speech its celebrity, and made it the theme of universal discussion among the ruling minds of the English-speaking language. The address was dubbed the "Corner-Stone" speech, and the grand central idea was that:

"Our new government was founded upon the great truth that the negro is not equal to the white man—that slavery, subordination to the superior race, was his natural and moral condition. * * This stone, which was rejected by the first builders, 'is become the chief corner stone' in our new edifice."

The enunciation of this startling philosophy by Mr. Stephens evoked an overwhelming enthusiasm at home, and in the South, and excited a profound feeling North and abroad. It became the representative idea of the Confederacy. It fixed clearly and simply the question of the revolution. It was unanimously accepted by the South. It put the civilized world upon notice as to what a recognition of the Confederacy meant. It propounded a prodigious issue, moral and political. It precipitated an unappealable arbitrament of the issue which concerned the most humanitarian convictions of mankind upon the essence of human freedom. Georgia again exercised that leading agency in this colossal agitation to which she seemed by some strange destiny fated. To one of her great spirits belonged the crowning honor of originating and formulating in his eloquent and masterly utterances, the very fundamental thought of the gigantic movement.

Mr. Stephens left nothing unsaid that perfected his great idea. He stated distinctly that the Union just split, rested upon "the fundamentally wrong idea that the enslavement of the African was a violation of the laws of nature." He said that it was apprehended that we would "array against us the civilized world." He continued in a magnificent display of eloquence, that drew deafening applause that he "cared not who, or how many they may be, when we stand upon the eternal principles of truth, we are obliged and must triumph."

The moral effect of this great speech was beyond all calculation. It put squarely against the Confederacy the abolition sentiment of the world. It prevented foreign recognition. It narrowed the issue from the broad domain of political independence founded upon a contract that had been violated, and upon which the sympathy of the world was with us, to the untenable foothold of the intrinsic righteousness and supreme good policy of slavery, in which civilized mankind stood immutably against us. The slavery question had been a large one in the agitation, but it simply represented a greater question of self-government. This speech of the Vice-President of the Confederacy claiming slavery to be a divinely originated institution based in truth, and the soul of the new government, set it up as the vital question of the conflict. It changed the battle-ground, shifted the war-flag, substituted a new slogan, and put us in isolation. It was an heroic thing, and it worked to the great scheme of Providence for human freedom. And it continued Georgia as the decisive factor of the revolution.

On the 13th of April, 1861, the siege of Fort Sumter ended by the surrender of Major Anderson. On the 15th of April, President Lincoln

made his call for 75,000 men to suppress the rebellion. On the 18th of April, Virginia seceded from the Union. On the 19th of April, President Davis telegraphed Gov. Brown for two or three companies to go immediately to Norfolk, Virginia, and inquired when he could have them ready. Gov. Brown went to the telegraph office in Milledgeville and telegraphed for volunteer companies in Macon, Griffin and Columbus, asking each Captain whether his company would like to go, and when they could be ready. The responses in every case were: "We would like to go; how much time can you give us?" He replied, "You must start to-morrow." While some of them said they would need more time, yet rather than lose their place in the battalion, they would go thus hastily. In twenty-four hours the battalion was on the cars in motion for Norfolk, and they were said to have arrived there about the first troops that reached the place, and a little before the Virginia troops arrived at the sea-board of their own state. This incident will show the eager war spirit of the people, and Gov. Brown's swift celerity in answering requisitions. The four companies forming this battalion were the Macon Floyd Rifles, Capt. Thos. Hardeman; Macon Volunteers, Capt. Smith; Columbus City Light Guard, Capt. P H. Colquitt, and a Griffin company under Capt. Doyal. Col. Thomas Hardeman, ex-member of Congress, was made the commander of this gallant corps, and he and they did some of the finest service performed in the war.

Requisitions were rapidly made upon Gov. Brown for troops, first 5,000 and then 3,000 men, and promptly filled. There was no halting in this stern time. Men rushed forward to enlist, and the dear women sent them to the front in heroic tears. The people assembled by the thousand to bid adieu to the departing soldiers. It was a wild day with its under-stratum of sobs and womanly grief. The huzzas of shouting patriotism and the roar of thundering cannon sped the gallant troops away, perhaps forever, amid a torrent of soulful weeping and convulsive embraces. It was buoyant and sorrowful, an era of proud sadness and damp-eyed exhilaration. The bounding ardor of the soldier was chastened in the tender grief of the women left behind to pray. Handkerchiefs and hands waved fervent farewells from apprehensive but resolute hearts. The whole State was aflame. In every county companies were made up. Newton county, that had been a Union stronghold, organized five companies in a few days, and raised a subscription of ten thousand dollars for aiding these military corps. The city of Macon in a short while furnished five hundred men. These are examples of the rest.

Gov. Brown stood to his wonderful labor of organization with an unceasing persistence. His resourceful energy seemed to grow, if possible. He issued a proclamation prohibiting the payment of any debt of money or property North; and the protesting by any bank of any paper due to Northern banks or people. He also issued a proclamation exempting persons and operatives engaged in the manufacture of arms, woolen or cotton goods or iron, from military duty. All of the troops enlisted for the Confederate service up to May, 1861, were twelve months' companies, of which five regiments were organized.

President Davis called the Confederate Congress together on the 29th of April, 1861, and immediately an act was passed authorizing the enlistment of troops for the war. Francis S. Bartow, the chairman of the military committee, was the captain of a volunteer company in Savannah, the "Oglethorpe Light Infantry," of which the writer was a member and a private. The company was organized in 1856, and was one of the popular corps in that gallant city always noted for its military spirit and the number and efficiency of its military organizations. Capt. Bartow was in communication with the company, and as soon as the act authorizing war troops was passed and approved, he communicated the fact by telegraph to his company. A meeting was promptly called. The writer well remembers the glowing spirit of that meeting. Amid a storm of enthusiasm and excitement a resolution was unanimously passed tendering the company for the war to the President. The tender was flashed over the wires in hot haste, so as to be the first, and the acceptance was sent back as quickly, Capt. Bartow immediately seeking Mr. Davis. To this superb company of young men, there being hardly a married man in it, among the best young citizens of Savannah, sons of her old and honored families, belongs the honor of being the first company in the entire Confederacy that gave its services to the South for the whole war. As this company had also furnished a detail of men for the detachment that seized Fort Pulaski under orders of Gov. Brown, before the State seceded, it had a record distinctive above all other companies of the great revolution, which will grow brighter with time. And as the company in its service in Virginia and elsewhere, went through the greatest battles of the war during the entire four years, beginning with the first Manassas, and fought with an increasing chivalry to the very close, it achieved an illustrious history and made an imperishable record of glory.

This company left for Virginia on the 21st day of May, 1861, escorted to the depot by the entire soldiery of Savannah and swarming throngs of

citizens. Amid salvos of artillery and the enmassed applause of the assembled people of the whole city, the train moved off with this splendid young organization. They had arms belonging to the State, and carried them without the consent of the Executive. This rape of the guns elicited a tart correspondence between Gov. Brown and Capt. Bartow, in which some hard things were said on both sides, which probably both of these patriotic gentlemen would have wished unwritten. Gov. Brown contended for the State's authority. Capt. Bartow repelled what he regarded as an assault upon his patriotism. In his letter Bartow used an expression, that in connection with his early and brilliant death at Manassas, became a marked utterance. He said, "I go to illustrate Georgia." All of these incidents, the participation in the seizure of Fort Pulaski, being the first company to enlist for the war, the forcible taking away of the State's guns, the controversy over them, and Capt. Bartow's high position in the Confederate Congress, all tended at that time to make the Oglethorpe Light Infantry of Savannah a famous company. Its twenty-fifth anniversary was celebrated in Savannah on the 19th of January, 1881, by a handsome banquet, when its honorable history was recalled and commemorated. This company was organized with other Georgia companies in Virginia into the 8th Georgia regiment, and Capt. Bartow was made Colonel; Wm. Montgomery Gardner, Lt. Colonel. The surgeon was Dr. H. V. M. Miller, so prominent in Georgia politics, who has recently presented a handsome portrait of Bartow to the Young Men's Library Association of Atlanta. This regiment was finally commanded by Col. Lucius M. Lamar, a handsome and gallant officer and a member of the General Assembly of Georgia of 1880–1. It made a memorable record of service, on the march, in camp and in battle, coming up to every patriotic requirement, and in the language of the brilliant but ill-fated Bartow, "illustrating Georgia."

The first regiment organized for the war was the 6th Georgia, of which Alfred H. Colquitt, the present Governor of Georgia, was made the Colonel. The practice of the Confederacy accepting troops directly without any reference to the State authority, was a bad one. All requisitions for soldiers should have been through the Executive. Thousands of Georgia soldiers went into the Confederate army in this way, of whom there is no record. No report of them was ever made to the state authorities, and thus the Georgia records are, and must ever remain incomplete. The writer organized the 4th Regiment of Georgia Cavalry, sending the muster rolls directly to the War Department at Richmond, and there is no record of a soldier or officer in the war

archives of Georgia, while the organization had, first and last, over 1,500 men in it. This instance will illustrate the matter. It was an irregular way of doing things that we now see Gov. Brown was right in opposing. It made endless confusion and incurable uncertainty in the records of the state's service. It renders it an impossibility for the full roll of our Georgia soldiers ever to be obtained, and the entire measure of justice be done to the substantial devotion of the state to the Southern cause. Thousands of gallant Georgians fought and perished in this gigantic struggle whose names and heroism are unknown and unpreserved.

CHAPTER XXII.

THE PRECEDENT OF A CENTURY OVERTHROWN, AND BROWN MADE GOVERNOR THE THIRD TIME.

Gov. Brown in a Constant Battle.—Unhinged Times.—Men's Fighting Blood up.—Brown's Curious Altercations.—The Columbus Guards.—The Startling Episode of the Salt Famine.—One of the Worst Terrors of The War.—Brown's Daring against the Salt Tyranny.—The First Manassas Battle.—Its Stupendous Effect.—The Georgia Coast.—"Dixie Doodle."—Curious War Names.—The "Nancy Harts."—Spoiling for a Fight.—The Bank Convention.—Cotton Planters' Convention.—The Cobbs.—Georgians to the Army.—Coast Defense.—The New Georgia Constitution —Col. Whitaker's Letter to Gov. Brown.—Brown Allows his Name for Governor. —A Coincidence.—The Grandson of the only Third Term Governor urging Brown to a Third Term.—Bitter Assaults on Brown.—Opposition Convention.—Its Personelle.—H. V. Johnson Declines as a Delegate.—Judge E. A. Nesbit Nominated.—Thos. E. Lloyd.—The Press Nearly Solid against Brown.—Brown's Trenchant Address.—Brown Overwhelmingly Re-elected.

DURING the turbulent days of 1861, Gov. Brown did not by any means, find his executive office a bed of roses. It was not in the nature of things that a man so daring and positive, so fearless in assuming responsibility, and so constitutionally combative, should not get into more or less turmoil beyond what an easier-tempered person would have escaped. The Governor was not a milk and water man, taking things lightly and shifting serious burdens upon other convenient people. He met his duties boldly, fully and promptly. He shirked no crisis. He confronted every emergency squarely. He made mistakes, as no human being can avoid doing. He was sometimes too aggressive. He occasionally bore too hard on men. He, perhaps, could not brook assault as peacefully as he might. He was, mayhap, too rigid and too unyielding where some concession would have availed better. But in spite of these things, it would have been almost out of the question to have supplied his place. The whole power and fervor of his strong intense soul were in the cause. It was no time for tender-footed and vacillating spirits. An imperious, dominant will was the need of the era—an unhesitating, self-reliant intelligence. The times were unhinged too. Social bonds were loosened. The ligaments of law were slipping their hold. War was on us, and the passions gathering and

strengthening. The epoch was every day getting wilder. Men were unconsciously going backward in moral restraint under the license of war. They were ripening in individual audacity, and the stern temper born of strife. It required a firm nerve to maintain its leadership among the stormy elements at play.

Gov. Brown had some curious altercations about very strange matters. The controversy with Bartow over his rape of guns was a specimen. This was extensively discussed, men and newspapers siding both ways. Mr. Davis, however, came through Atlanta, and had a long and friendly talk about the matter with Gov. Brown, and frankly acknowledged that the policy of the Confederate authorities receiving troops over the head of the state Executives was wrong, and he intended to have no more of it, but get all of his requisitions supplied by the state Governors. Another wholly unnecessary difficulty was one between the Columbus Guards and Gov. Brown, in which the Executive simply tracked the law, and in doing so, came in collision with a body of men whose eager desire to enlist rushed them into disregard of law. The statute prescribed the size of companies to be from fifty to eighty men, not exceeding the latter number. Capt. Ellis had 120 men, and the Governor refused to take the extra sixty men, though Martin J. Crawford urged it. Capt. Ellis took his extra men to Savannah anyhow. The Governor stuck to the law, telegraphing Gen. Lawton to enforce the statute. And the Governor was savagely assailed for his action. The fact is the men of the state were burning to enlist, and in the hot eagerness to do a freeman's duty, they quarreled over the privilege of service and the opportunity for peril. Nothing, however, swerved the Executive from his line of resolution. And in every case the public judgment sustained him when the facts were understood. In no case did he act from any personal motive. He sought the success of the cause, and he pursued his object with an immovable tenacity of purpose.

A remarkable instance of his daring readiness to take any risk for the public good, was in the prosaic but incalculably momentous necessity of salt. This simple and cheap article of living, that exercises so little thought, and that is as plentiful as the air, became the subject of an appalling famine in the South. It lay in measureless quantities in the boundless ocean that bordered the Confederacy for a thousand miles. Yet with the coast blockaded, with inadequate facilities for its manufacture, with its importation cut off by the bayonets of a beleaguering cordon of hostile soldiers, the scarcity of salt became a terror to the people. It was a romantic fate that made this boundless

commodity worth almost pound for pound with silver. It was one of the strangest straits of the Confederacy, this famine of salt. Speculators took advantage of it. Even early in 1861, the war of the salt changers began. And it continued until the legislature took the matter in hand and sought to protect the people from these salt sharks. While the matter was pending the speculators took alarm and started to rush their hoards out of the state. The meat for the soldiers needed salt to cure it. The salt famine threatened the commonwealth in earnest. In this crisis Gov. Brown, with his wonted boldness, liberally construing the constitutional provision that allowed the Executive in cases of emergency to seize private property for public use, clutched several large lots of salt for the state, and prohibited its general shipment out of the state. The speculators howled. The price they gave with freight, storage, interest, drayage and ten per cent. interest, was tendered to the subjects of this rape of salt. The Legislature passed its protective measure, but the Governor had saved the state from the salt famine by his bold audacity and prompt interference ahead of slow legislative action. The public uses were provided for, with some surplus over, which was sold around to the poor people who could not pay speculation prices, and thus the public necessities were relieved.

His audacious exercise of authority, such as few men would have dared to use, and especially when it was a matter of discussion as to the right, elicited some hard criticism from his enemies, but the people, the omnipotent depository of opinion and power, sustained him overwhelmingly, as it will back any man in the end who is disinterestedly doing the right as he conscientiously sees it. This salt trouble was a permanent one during the war. The salt famine hung over the state with its vital terrors until the surrender. The legislatures fought it as sternly and persistently as they pushed the battles. They had to come to the relief of the poor finally. The state took in its own hands the manufacture of salt in self-defense. And not only this, but the state had to organize a great salt bureau, and appropriate half a million of dollars, and make distribution of the despotic staple. In the archives of the Executive Department are huge volumes of records, and enormous books that a strong man staggers in carrying across the room, all devoted to the novel and terrible episode of our salt tyranny in the war.

The battle of the First Manassas took place on the 21st day of July, 1861, in which memorable engagement the 7th Georgia, and 8th Georgia regiments were engaged, and won a signal fame. The 7th reg-

iment was commanded by Col. Lucius J. Gartrell, ex-member of congress. Gen. Johnson, in his official report, mentions the name of Col. Gartrell with others as having distinguished themselves in that engagement. His son, Henry Clay Gartrell, was killed in the battle. Col. Bartow commanded the Brigade consisting of the 7th, 8th, 9th and 11th Georgia, and 1st Kentucky Regiments. This battle, the first important action of the war, was a remarkable one in its effects. It was a thorough victory for the Confederates, and a most disastrous defeat for the Federals. It was at first and for a long time believed that the Federals enormously outnumbered us, but recent statistics said to be correct show that the contending forces were nearer equality than has been supposed. The battle was bloody, and for a while desperate. Our losses were heavy. The Georgia troops especially happened at the very brunt of the fighting, and in pursuance of that same destiny, that seemed to press Georgia into the crucial situations of this great struggle at vital times, turned the tide of battle with a frightful loss of gallant men, including the intrepid Bartow himself, who fell, caught in the arms of Col. Gartrell, uttering the now historic exclamation, "THEY HAVE KILLED ME, BUT NEVER GIVE IT UP!" The state of Georgia thus not only gave the deciding stroke in this momentous battle, but furnished the first conspicuous martyr of the war.

The battle gave a terrific momentum to the war spirit of the North, while it affected the South disastrously. It seemed a confirmation of the immeasurable fighting superiority of the South. It aroused the North; it demoralized and distracted the South by a controversy that alienated leaders and caused dissension during the whole war over an issue as to whether the fruits of the victory were not neglected. The pride, the resentment, the courage of the Northern people were stimulated to desperation, and from this time on, the war progressed in dead earnest.

In Georgia the activity, if anything, redoubled. Camps of instruction and of preparation were organized, and filled with troops drilling and fitting for the next call. A large attention was given to the coast of Georgia. The Confederate Government had placed Gen. A. R. Lawton in command from Savannah to the Florida line, and Commodore Tattnall in charge of the naval force. Every co-operation was given to these officers. Gov. Brown spent $80,000 in equipping Fort Pulaski. Up to the 26th of July, seventeen thousand men had been organized, armed and equipped at a cost of $300,000, and sent into service, most of them out of the state. Fully 30,000 guns and accoutrements were

supplied to the Confederacy by the state of Georgia, at her own cost, first and last. Three steamers had been purchased for coast defense, one costing $40,000 and the others less. The Governor purchased $44,265 of material for making gunpowder, which he allowed the Confederate authorities to take.

There were many interesting features of the war fever of 1861, that would prove very readable. Amid the serious work was a by-play of light incident that helps to complete the picturesque picture of a dramatic time. Some patriotic poetaster drew from his muse a Southern version of the familiar "Yankee Doodle," and dubbed it "Dixie Doodle." The names of some of the companies were a typical outcome of the spirit of the times. The company commanded by the present Governor Colquitt, was the "Baker Fire Eaters," and his regiment was called the "Coffin Regiment," in memory of a soubriquet given to his famous father, Walter T. Colquitt, in the memorable political campaign of 1850 and 1851, as the "Elder Colonel of the Coffin Regiment." "Defenders of the South," Capt. J. A. Norwood of Troup County; "Union Invincibles," Captain Sam Patterson of Union Co.; "Dixey Boys," Capt. H. Bryan of Thomas Co.; "Miller Wild Cats," Capt. B. R. Kendrick of Colquitt Co.; "Monroe Crowders," of Forsyth Co.; "Sons of Liberty," Capt. E. F Lawson; "Davis Invincibles," etc., were some of these suggestive names. The ladies of La Grange in their military enthusiasm organized a company called the "Nancy Harts," in honor of that revolutionary heroine of whom it was said, "she was a rare patriot, but a devil of a wife." Of this company Dr. A. C. Ware was Captain; Mrs. Nannie Morgan, First Lieutenant; Mrs. P. B. Heard, Second Lieutenant; Miss A. Smith, Third Lieutenant; Miss A. Bull, First Sergeant; Miss A. Hill, Second Sergeant; Miss M. E. Colquitt, Third Sergeant; Miss P. Beall, First Corporal; Miss L. Pullen, Second Corporal; Miss S. Bull, Third Corporal; Miss E. Key, Treasurer. Mrs. Overby, widow of B. H. Overby, and daughter of Hugh L. Haralson, gave $100 for the soldiers' families, and pledged herself to continue the patriotic contribution. The "Wrightsville Infantry," commanded by Captain Jessie A. Glenn, was ordered to Savannah. The newspapers copied extensively a piteous letter from Capt. Glenn to Hon. A. R. Wright, after whom the company was named, begging to get away from Savannah to some place "*where there is a prospect of a fight.*" The universal hankering was to get a chance at the enemy, and Capt. Glenn voiced the general wish.

Two Conventions were held in Georgia in June, 1861, of public inter-

est. The first was at Atlanta, a "Bank Convention of the Confederate States," which met June 3d, and did important work in aiding the financial measures of the new government. Georgia, Alabama, Florida and South Carolina were represented. The Georgia delegates were R. R. Cuyler, S. Cohen, H. Roberts, Isaac Scott, W S. Cothran, A. Austell, W H. Inman, G. B. Lamar, and W E. Jackson. The President was G. B. Lamar, and Vice-President, Jas. S. Gibbs of South Carolina. Resolutions were passed for the banks to receive Confederate Treasury notes, and asking railroads and tax officers to take them. The second Convention was the Cotton Planters' Convention in Macon. A committee composed of J. H. R. Washington, Pulaski S. Holt and Nathan Bass was appointed to issue a call for a Confederate Cotton Planters' convention, which was done. A camp of instruction, called Camp McDonald, was organized in Cobb county of some 2,000 troops under command of Brig. Gen. Wm. Phillips. War speeches were made in Atlanta by distinguished gentlemen passing through, among them Hon. Roger A. Pryor and Hon. R. M. T. Hunter of Virginia.

The Confederate Congress adjourned in May, at Montgomery, to meet in July, at Richmond. It first authorized an issue of fifty millions of bonds for war purposes. Howell Cobb and T. R. R. Cobb issued an address to the planters of Georgia, urging them from patriotic considerations to invest in these bonds, in which address they called attention to the two proud facts that Georgia was the only State that had adopted the Confederate Constitution by a unanimous vote, and that she was offering the largest number of volunteers of any State, thus preserving that leadership in this revolution that Georgia had maintained. As Bartow had gone into the army, so our other Georgia leaders drifted in. Howell Cobb accepted the tender of a regiment in June, 1861, unable to resist the war impulse. He was followed swiftly by his brother, Thomas R. R. Cobb, and by Mr. Toombs, and all of them became Brigadier Generals. The regiments of Georgia regulars were consolidated into one, and officered by Col. C. J. Williams and Lieut. Col. E. W. Chastain.

In September, Gov. Brown made a visit to the coast, and found the force under the Confederate authorities there, wholly inadequate to the defense. He promptly, on his own responsibility, called out additional State troops. Up to the first of September, twenty-five regiments and three battalions had been organized in Georgia under Gov. Brown's authority, and some seven independent regiments, making 30,000 troops Georgia had furnished for the war, and of this number, over 20,000

were in Virginia. Many of them were suffering for clothing. Gov. Brown issued proclamations making earnest appeals for the people at home to contribute money and clothing. He also made proclamation that he was exhausted of arms, and called upon the people to loan the State their private rifles and shot-guns for public defense. He ordered a full enrollment of all men liable to militia duty. All of his measures were vigorous and timely. Every point connected with the State's interest was closely watched and promptly attended to.

The vote upon the new Constitution of Georgia will show how completely the people were absorbed in the war to the exclusion of all other considerations. The vote for ratification was 11,499, and against ratification 10,704, a majority of only 795 for ratification, and a total vote of but 22,203 out of 120,000.

The time was approaching for the election of a Governor. The people early in the year had sounded in no uncertain tones the desire to have Gov. Brown re-chosen, in spite of the custom that limited Governors to two terms. In August, Jared I. Whittaker addressed a letter to Gov. Brown propounding two inquiries:

"*First.*—Whether in his opinion it was proper, under existing circumstances, to hold a convention to nominate a candidate for Governor, and conventions in the districts to nominate candidates for Congress.

"*Second.*—Whether, if it should be the wish of the mass of the people of Georgia, without regard to old party differences, Gov. Brown would in that critical period of the State's history, consent to serve a third term in the executive office."

To this letter Gov. Brown, on the 13th day of August, 1861, replied. He advised against holding conventions. There were no political divisions and no need for any party machinery, while the people had no time for any unnecessary assemblages. In regard to his being Governor a third time, he frankly stated that neither his personal interest nor inclinations prompted him to give his consent to run again. He made this allusion to the past:

"In the days of your honored grandfather, Jared Irwin, who served with so much ability as Governor of Georgia, there was no such usage as that of a first or second term only, for he was called to the executive chair the third time. The political usage has since been for the executive to retire at the end of the first or second term. It has, however, been but a usage, as there is no constitutional difficulty in the way of the same person holding the office for a third term. I have had no inclination to violate this usage. If I have made no character in the office in four years, I may not expect to do so in six. If I have made any reputation during that time, I have then something to risk by holding the office another term in the midst of a revolution."

It was a right interesting coincidence, that the grandson of the only

Governor in the history of the State who had been elected for three terms, should be the instrument of pressing upon Gov. Brown the popular wish for his undertaking the responsibilities and wearing the honors of a third term. Gov. Brown continued his letter, quoting the reasons that had been urged for his taking a third. These were, his familiarity with the duties and the situation, and the danger of putting a new and inexperienced man in the place, and his duty as one who had done so much to bring about secession to now stand to his post and bear his burden of the revolution. He, therefore, felt that he could not refuse if the people desired his services, but that he could not and would not make any canvass for the election.

This permission of Gov. Brown for the popular use of his name for Governor was the signal for a heavy assault upon him. In his positive administration he had awakened some bitter personal enmities. His wonderful popularity excited a wide jealousy among the leaders of public opinion in the State. Before his letter some of the press had suggested and advocated a convention for September, and the opposition pushed the movement. A convention was called for the 11th of September, 1861, in Milledgeville. Numbers of counties called meetings and by resolutions refused to send delegates. Herschell V Johnson was chosen a delegate to the convention, and declined in a strong letter. He said the contest before the convention for the nomination would be purely a personal one, in which he took no interest, the candidates being all worthy; that the State needed a united people, and the convention would not concentrate public opinion; that a large part of the people, not being represented in the convention, would not be bound by its action; that Gov. Brown was virtually an independent candidate, and thus two candidates were a certainty; that under these circumstances he would not be trammeled, but should vote for the man whose elevation he deemed best "calculated to promote the public welfare irrespective of partisan or personal considerations."

There is no doubt that this pertinent letter of ex-Gov. Johnson had a powerful effect in checking representation in the convention. There is no doubt, either, that the people were with Gov. Brown. The homely words of Trice had struck a bed-rock basis of popular endorsement. The convention had 174 representatives from only fifty-eight counties out of 132, and it was claimed that only forty of these had delegates actually empowered. Col. Cincinnatus Peeples was temporary chairman, and Judge Dennis F Hammond permanent president. Wm. L. Mitchell, chairman of the committee on business, reported the nomination of

Engraved by H. Buttre from a Daguerreotype

E. A. Nisbet.

Judge Eugenius A. Nisbet for Governor. Hon. George N. Lester moved the appointment of a committee, which reported an electoral ticket, headed by David Irwin of Cobb and Thos. E. Lloyd of Chatham. The district electoral nominees were John L. Harris, Arthur Hood, J. L. Wimberly, Dr. E. McGehee, I. P. Garvin, I. G. Fannin, O. C. Gibson, John Ray, H. H. Cannon and H. F. Price.

Of these gentlemen, Hon. Thomas E. Lloyd of Savannah was the admitted leader of the bar in that city of accomplished lawyers. A modest gentleman of fortune and old family, indifferent to politics, nothing of an advocate, lacking wholly the charm of eloquence, he was yet a profound and learned counselor of law, and the very head of the civil branch of jurisprudence. A good liver, fond of his billiards and his wine, a luxurious bachelor, he was yet an unwearied student of his profession, and the most pains-taking, erudite and accurate attorney at a bar noted for its able and learned members. He was a legal umpire in disputed points of law. He had a purely legal mind, clear, philosophical, discriminating, quick, powerful and analytic. He read widely, he digested fully. His temper was exquisite, and his spirit thoroughly balanced. His truth and sense of honor were perfect. He was the finest specimen of a civil lawyer that we have ever had in Georgia. His quiet manners and retiring disposition prevented him from earning that State repute that his extraordinary legal abilities and attainments entitled him to receive. Where he was known he passed for his remarkable value. He never sought office, and when it was thrust upon him he took it reluctantly and laid it down with delight.

The convention further presented Davis and Stephens for re-election as President and Vice-President of the Confederacy. The nomination of Judge Nisbet was a very strong one, the strongest, perhaps, that could have been made. He was an opponent well worthy of Gov. Brown, and fitted to test to the utmost his popular strength. He had been the leader of the secession convention, and enjoyed all the popularity that fact was calculated to give him. He was pure, able, eloquent, learned, distinguished. He had illustrated the State in Congress. He had graced private life, ornamented his profession and adorned the supreme bench. The opposition hailed his nomination enthusiastically. The press of the State, with but a few exceptions, took up his cause and went against Gov. Brown in a solid phalanx. The Savannah *Republican* led a bitter, unsparing warfare against the Governor. The Augusta papers followed in the same line zealously. The Federal *Union* of Milledgeville and the Atlanta *Intelligencer* were the principal journalistic cham-

pions of Gov. Brown, and made pretty nearly a single-handed fight. The campaign waxed warm. The papers showered their diatribes against the unquailing Brown, who, refusing to make any canvass, devoted his energies to the gathering storm of war, leaving the people to attend to his campaign. He made but one public manifesto,—a sharp, trenchant, but well-tempered paper, stating his position clearly and firmly.

This short address to the people of Georgia was dated the 19th day of September, 1861. He showed that he was before the people of the State as a candidate before the convention assembled, and when there were no party organizations to render a convention or caucus necessary. Mr. Chambers, of Columbus, was also a candidate. The convention, if it had been a full one, representing the people, might have justly asked obedience to its mandates. But the convention did not even represent half of the counties of the State, while in many counties that had delegates the masses of the people had declared against the convention. The convention had failed to condemn his administration, and this failure he used effectively. He charged that the convention movement was simply a caucus of the politicians and office-seekers to rekindle the fires of party strife when our whole people should be a unit, for the protection of life, liberty, property and all that was dear to us. This point he pushed with vigor and plausibility. Perhaps the most characteristic part of this unmincing address was his frank way of dealing with the value of his executive experience to the State. He thus put this delicate matter:

"But it is insisted with much earnestness, that it has not been the *usage* for the same person to hold the office of Governor for three terms. This is certainly true, and it is equally true that it has not been the usage to have revolution, or to have a wicked war waged upon us, and the soil of our own State threatened to be drenched with the blood of her sons, shed by an invading army; nor has it been the usage for Georgia to have in the field thirty thousand troops, called out by her executive, whose duty it is to know when, and with what preparation each company went to the field, what had been supplied to them and what they lack, and to know the condition of the finances of the State, and her present means of affording the most speedy assistance to her suffering troops, as emergencies may require prompt action. Whether the public good requires that he who has conducted these affairs from the beginning, should retire in the midst of them, and give place to a new man, who has yet to learn the condition of the financial affairs of the State, and the location and necessities of our troops, is a question which the farmers, merchants and mechanics of our State are, I think, as competent to decide at the ballot-box, as a few politicians and political aspirants are to decide in caucus at Milledgeville."

Gov. Brown concluded by stating that he left the matter for the people to pass upon, not doubting that they would act for their best

interest. Like all of Gov. Brown's documents for the people, this plain, matter-of-fact business presentation of his cause was effective. It elicited criticism, abuse, raillery, but its common-sense notions seized the public intelligence. Every sort of accusation was heaped upon the Governor. He was charged with being arbitrary, unconstitutional, self-opinionated, greedy of power, assuming to be the State, inflated and vain. But the fighting went on, and he continued his grim war energy, and the newspapers thundered at him, and the people bent their souls to the bloodshed, unheeding the journalistic cannonade at his indifferent head, and when the day came to vote, they put him back in the great chair of state, then a herculean responsibility, by a splendid popular majority of 13,691 in a vote of 79,295. Gov. Brown received 46,493 votes, and Nisbet 32,802. The fight was whipped, and it was a remarkable personal victory, a tribute of popular esteem, of which any man might be proud, and crowning as it did, four years of exalted official trust, and overriding the precedent of a century, it was the grandest endorsement public opinion had ever given a public official in the annals of the good old Commonwealth.

CHAPTER XXIII.

GOV BROWN'S STORMY TIME WITH THE LEGISLATURE OF 1861–2.

"A Nisbet Legislature that will give Brown the Devil."—Its Personelle.—T. M. Norwood.—Gov. Brown's Message.—Criticism of Confederate Legislation.—Gov. Brown's Third Inauguration in a Suit of Georgia-made Jeans.—Georgia War Matters.—The Transfer of Georgia Coast Troops to the Confederacy.—Our Coast Threatened.—Gov. Brown Urges Defense.—E. C. Anderson Runs the Blockade with Arms.—Vetoes.—The Two Wars—the North against the South, and the Legislature against Brown.—Brown's Message pending the Bill to Transfer Our Troops.—Legislative Anger.—Warren Akin Denounces Gov. Brown.—Judge E. G. Cabaniss.—Col. Chastain's Regiment Refused to be Transferred.—Savage Committee Report of Norwood.—Gov. Brown's Severe Reply.—The General Assembly hopelessly Divided.—Gov. Brown's Views finally Embodied.—Judges.—Toombs Elected C. S. Senator, and Scornfully Rejects it.—Confederate Congressmen.

"BROWN is elected, but we have a Nisbet Legislature that will give him the devil," was currently reported to be the street gossip of the opposition. A lively session was betokened in this floating chaff, and the promise was fulfilled. The legislative deliberations of November and December, 1861, were unusually important, and in their picturesque animation suited well the war times. The body convened on Wednesday the 6th day of November. Hon. John Billups was elected President of the Senate, and Hon. Warren Akin Speaker of the House. In the Senate were the following gentlemen: George A. Gordon of Savannah; James L. Seward; D. A. Vason of Georgia, afterwards Judge; T. M. Furlow of Americus; J. T. Shewmake; W Gibson of Richmond; M. W. Lewis of Greene; Wier Boyd of Lumpkin; A. J. Hansell of Cobb and Hiram P Bell, afterward a member of Congress.

In the House among the leaders were, L. H. Briscoe; L. N. Whittle of Bibb; Thomas M. Norwood of Chatham, a United States Senator since the war; L. N. Trammell of Catoosa, afterward president of the Georgia Senate; George N. Lester of Cobb, elected subsequently to the Confederate Congress; Milton A. Candler of DeKalb, since the war a member of Congress; Robert Hester of Elbert; Z. B. Hargrove, a prominent Republican leader since the war; A. E. Cochrane; C. W DuBose of Sparta; W H. Felton of Macon; E. G. Cabiniss of Monroe; G. T. Barnes of Richmond; Peter E. Love of Thomas, ex-member of Con-

gress; B. H. Bigham of Troup and James S. Hook, afterward Judge of the superior court. Hon. Thomas M. Norwood was a small, unattractive looking gentleman, of little grace of oratory, but a person of some uncommon intellectual characteristics. He had a capacity of cold, strong logic and elaborate argumentation, coupled with a rich vein of caustic satire. Not a prolific speaker, he yet was after preparation a very strong one, and made, as a United States Senator, two elaborate speeches, that won him a national reputation. Another small, homely person, who developed after the war into a good prominence, and won some very flattering political victories, was M. A. Candler of DeKalb. A pale, low-browed, slender individual; he possessed a full, sonorous voice and an unusual energy of expression and delivery. He was a positive character, and earned justly his promotion.

The General Assembly met under circumstances of unparalleled interest and overwhelming import. We were in the very flood tide of war, straining every power, and threatened with an invasion of our own soil. The enemy was thundering at our portals, a large fleet beleaguering our coast. The emergency had to be met promptly and fully. It was unfortunate that there was a strong fragment of the body disposed to antagonize the Executive. If ever unity was desirable it was in that grave crisis. But somehow the drift to turbulence was irresistible. Men were affected by the temper of a revolutionary era. Difference of opinion rushed to extremes and speedily grew to acrimony. Discussions degenerated into disputes, and debates became altercations. There was, perhaps, no man in the State who was more fitted by nature for the combative spirit of the times than Gov. Brown. A belligerent campaign suited him wonderfully. Opposition brought him cordially to the front always, and aggression nerved every fiber of his soul to an indomitable resistance. His career shows that he never gave up while he could battle.

His message to the Legislature was a very lengthy and a strong state paper, breathing a spirit of stern manhood that represented faithfully the sentiment of the people. The philosophy of the war and the needs of the hour were masterfully argued. He criticised two acts of Confederate legislation that he deemed wrong, the one authorizing the President to accept State troops without reference to the State authorities, and the other, giving to the President the appointment of the field officers of the State volunteers. His recital of the war measures he had taken constituted a remarkable record of energy and responsibility. Georgia had on the first day of November, 1861, fifty regiments in ser-

vice, of which she had armed and equipped thirty. It was an astonishing work. He urged an appropriation of three and a half millions for the military needs of 1862, the passage of a stay law, the legalizing further bank suspension and other vigorous war measures. He concluded his message with this ringing paragraph:

"I would cheerfully expend in the cause the last dollar I could raise, and would fervently pray, like Samson of old, that God would give me strength to lay hold upon the pillars of the edifice, and would enable me while bending with its weight, to die a glorious death beneath the crumbling ruins of that temple of Southern freedom which has so long attracted the world by the splendor of its magnificence."

The message elicited very high encomiums, and was especially complimented for its discussion of the means of perpetuating our institutions and preserving our commercial independence. The message, like the inaugural which followed his installation as Governor for his third term, urged unity and harmony among the members, and co-operation cordially in the trying ordeal through which they were then passing. Gov. Brown was re-inaugurated on the 8th of November, at 12 o'clock, dressed in a suit of Georgia-made jeans, and the accounts represent him as "deeply impressive and solemnly eloquent." It was certainly a striking situation that he held. His force of character and supreme leadership in a great public crisis had made the people demand the continuance of his administration in the face of long-honored custom. The Atlanta *Intelligencer* had stated by his authority that it was his personal desire to retire from the office. He had been re-elected over the most potential representative of the popular secession element in the State, by a splendid majority without making a speech. And he stood the chosen leader of a great commonwealth under all these impressive circumstances confronting the mighty revolution. His inaugural revealed his consciousness alike of the tribute and the burden. Nor was his attitude less dramatic because an organized and implacable minority stood facing him, eager and resolute to batter him down and crush him before the people. He was aware to the fullest extent of the determined hostility threatening him.

The report of the Comptroller General gave the details of the year's work. One million of dollars had been spent for military purposes. The banks had loaned the state $842,500. The following regiments had been organized:

1st Regiment, Colonel C. J. Williams, Regular.
2d " " H. W Mercer, "
1st " " J. R. Ramsay, Volunteer.

2d Regiment, Colonel Paul J. Semmes, Volunteer.
3d " " A. R. Wright, "
4th " " Geo. Doles, "
5th " " Jno. K. Jackson, "
6th " " A. H. Colquitt, "
7th " " L. J. Gartrell, "
8th " " W M. Gardner, "
9th " " E. R. Goulding, "
10th " " L. McLaws, "
11th " " G. T. Anderson, "
12th " " Ed. Johnson, "
13th " " W Ector, "
14th " " A. V Brumby, "
15th " " T. W Thomas, "
16th " " H. Cobb, "
17th " " H. L. Benning, "
18th " " W T. Wofford, "
19th " " W W Boyd, "
20th " " W D. Smith, "
21st " " J. T. Mercer, "
22d " " Robert Jones, "
23d " " T. Hutcheson, "
24th " " R. McMillan, "
25th " " C. C. Wilson, "
Georgia Legion, " T. R. R. Cobb, "
Phillips Legion, " Wm. Phillips, "
1st Battalion, Lt. Col. J. B. Villepigue, "
2d " Major T. Hardeman, "
3d " " Stoval, "
Independent Georgia Dragoons, Captain I. W Avery.

In camp in Georgia were also the following:

Regiment, Colonel T. J. Warthen, Volunteer.
" " Levi B. Smith, "
" " David J. Bailey, "
" " A. Littlefield, "
5 Companies, " Wm. H. Stiles, "
7 " " E. L. Thomas, "
8 " " Aug. R. Wright, "
7 " " A. R. Lamar, "
1 Regiment, " C. W Styles, "

Gen. Henry R. Jaekson had deelined the position of Major General in favor of Gen. Walker, and was fighting in West Virginia as a Confederate Brigadier, and had made fame there winning the Greenbrier battle. Gov. Brown had appointed Gen. W H. T. Walker Major General, who had resigned and aeeepted a position as a Confederate Brigadier General. Gen. Paul J. Semmes had been appointed Brigadier General, but resigned and aeeepted the Colonelcy of the 2d Georgia Confederate regiment. Gen. Phillips had organized a Brigade, but the Confederate government refused to take any Georgia appointed Generals, and he was eommanding a legion. Gov. Brown had appointed George P Harrison and F. W Capers Brigadier Generals, both of whom had organized Brigades on the coast. Ira R. Foster was the state Quarter Master General, who had exhibited a signal efficieney in the arduous duties of this most important department. Col. J. I. Whitaker was appointed the State Commissary General. The Hon. Thomas Butler King had been sent as Commissioner to Europe to arrange a line of steamers for direct trade, under the aet of the last legislature ineorporating the "Belgian American Company," and giving the states guarantee for $100,000 for five years.

While the legislature was in session a large Federal naval expedition eaptured Port Royal on the South Carolina eoast, and threatened the Georgia sea-board. The attacking foree had forty-one vessels. Commodore Tattnall had four small gun vessels, the Savannah, Lt. J. N. Maffitt; Resolute, Lt. J. P Jones; Sampson, Lt. J. Kennard; and Lady Davis, Lt. J. Rutledge. The legislature called upon Gov. Brown for information as to the proteetion of the Georgia coast, to whieh Gov. Brown replied, showing the eondition of our defenees, and asking means to proteet the state. He immediately called for additional troops. On the 19th of November he sent a message to the Senate, giving a detailed aeeount of the past operations on the coast and his correspondence with the Seeretary of War about the matter. On the 26th he addressed a message to the House, as the result of a eonferenee with the House committee, in whieh he ealled attention to the faet that the military appropriation was exhausted, that he was borrowing money every day, and that it was with diffieulty that he eould maintain the troops in the field. The Confederate government was not doing all that was needed, and yet the state had to be defended, and he implored the representatives of the people to lay aside all differenees of opinion and furnish the means to proteet the eommonwealth, reserving the settlement of aecounts with the Confederaey for the time when the danger was past.

The foe was perfecting plans to capture Fort Pulaski, and thus control the coast. The danger was imminent. The delay of the legislature in voting means to effectually defend the sea front was the occasion of Gov. Brown's importunities and appeals, and of much popular censure and complaint. The legislature was halting, properly feeling that the Confederate authorities, that had the benefit of so large a contribution of Georgia soldiers and arms in other states, owed it to the state to give her protection. Gov. Brown participated in this feeling, but the aid was not forthcoming and the enemy was at the threshold, his "flag waving over part of our soil and insulting the state's sovereignty while it threatens the existence of her institutions, the liberties of her sons and the safety and purity of her daughters."

Again, on the 5th of December, 1861, Gov. Brown sent in a message to the General Assembly. He had been down in person to Savannah, conferring with Gen. Robert E. Lee, who was in command of the Southern coast. A timely arrival of 13,341 Enfield rifles, 4 cannons, 409,000 cartridges, 7 tons of shell and 500 sabres had been made, brought in by Col. Edward C. Anderson, through the Blockade from Europe where that gallant officer and gentleman had been sent by Gov. Brown, the importation alike testifying to Gov. Brown's providence and Col. Anderson's faithful vigilance and intrepidity. A proposition was before the General Assembly to transfer the Georgia troops called out by the Governor for service on the coast to the Confederacy, and if they were not received to disband them and get rid of the expense. There had been a growing breach between the Governor and the legislature, and it was charged by Gov. Brown's friends that this proposed legislation, involving delay in voting means and taking the short term state troops from Gov. Brown's control was a stroke at him. He had astounded, and displeased the legislature by vetoing a bill reducing the pay of the Judges and Governor fully a third; and a bill fixing the pay of the members at five dollars a day. These vetoes had stirred a bitter feeling in the General Assembly, and were regarded as Executive declarations of war. The reduction of the Governor's salary would not affect him personally, as it did not go into operation during his term. His veto of the pay of members was applying their views of economy to themselves. There is little doubt that a very bad feeling had arisen between the Executive, and a controlling majority of the General Assembly, and the battle between them became a stubborn and bitter one.

Some correspondent in the Atlanta *Intelligencer* aptly satirized the matter and avowed that the country was witnessing two well-established

wars,—that of the North against the South, and the other of the legisture against Joe Brown. There was no mistake about it either. The legislature took the war-path and made a lively fusilade against the unquailing and responsive Governor. Right in the midst of the discussion upon the transfer of our short-term state troops to the Confederacy, Governor Brown plumped a stiff, daring message into the body arguing against the proposed policy. The message fell upon the body like an exploding bomb-shell. The storm it created was something extraordinary. It precipitated the long-brooding battle. Recounting the emergency that led him to call out these state troops when the Confederacy had not placed adequate defenses upon the Georgia coast, and showing that he had foreseen and provided for the very emergency that had come, he proceeded to discuss what he termed the "fatal policy" that with the enemy on our soil in force and our safety imperilled would pause to count cost, and look to the contingency of disbandment of defense, and the abandonment of the state to the invader.

The Governor's message on this exciting subject at that heated time was a model of force and unanswerable logic, and the wonder is that any such proposition as he was combating was entertained. He showed that the destruction of property if the enemy took possession, would be ten times any cost of defense. He argued the right of the legislature to transfer the troops to the Confederacy without their consent, claiming such forced transfer as a violation of faith. While the President of the Confederacy could not accept them under the Confederate law, as they were organized under the different state law, with their brigade and company organizations in conflict with the Confederate law. He thus boldly ended this intrepid and aggressive message:

"If this fatal policy should be determined upon by the General Assembly, I will be responsible for none of the consequences growing out of it; and in the name of the people of Georgia, I now in advance enter my solemn protest against it. If the State troops are disbanded, or the appropriations to maintain them are made upon the condition that they be transferred or disbanded, which is equivalent to an order to disband them, it will become my duty, as the Executive of the State to proclaim to her people, that while the enemy is thundering at her gates, her representatives have left me powerless for her defense, by withholding the necessary means, and even taking from me those already at my command.

"If I have used strong language, I mean no disrespect. When all that is dear to a people is at stake, the occasion requires the utmost frankness and candor."

It is doubtful if in any of Gov. Brown's series of high-spirited conflicts with the legislative assemblies of Georgia, there was any one which exhibited more strongly the man's absolutely unconquerable

intrepidity and independence than this the stormiest of them all, and the culminating one. In none did he display so conspicuously that unhesitating self-reliance and fearless contempt of any amount of opposition that belonged to him. He never quailed for a moment or yielded an inch of his position. Even amid the clash of arms, this conflict stirred the state. An intense interest was felt all over the commonwealth, and the people endorsed the game Governor.

When the message was delivered to the House, the Secretary who transmitted it to that body, Mr. Buleau Campbell, stated that it was on the subject of "State defence." Offence was immediately taken at this, the Speaker, Col. Akin and others declaring that the message was an unwarrantable interference on the part of the Governor with the legislation then progressing. Mr. Whittle moved to take up the message, but the motion was lost. The message was read the next day, and Mr. Cabaniss moved to suspend the rules to introduce some resolutions denouncing the action of the Governor in sending into the House of Representatives an argument against the passage of the bill then under consideration for the public defense. The motion to suspend was lost. The bill was passed. The discussion was fiery and acrimonious. The bill was reconsidered the next day, and Mr. Cabaniss again attempted to get his resolution of censure in. The Speaker, Mr. Akin, yielded the chair to Judge Cochran and came upon the floor, and attacked the Governor's message unsparingly. His remarks were thus reported in the Milledgeville *Union:*

"Col. Akin remarked that the Governor had offered the grossest indignity to this House in the message thrust as an argument before us on yesterday. He proceeded to review the message. The Governor argued that the troops would not submit to the provisions of the bill displacing their officers. He bid the commander-in-chief and all his troops defiance to-day. Let them come with bayonets in their hands, and drive us from these halls, if they are not willing to acquiesce in the legislative action. He would bare his bosom to their bayonets and be the last to jump from these windows on their approach."

As may be conceived, a controversy between the two great co-ordinate branches of the State government, the Legislature and the Executive, as important and hostile as this, and conducted with such heat of temper and vigor of language, stirred a profound excitement all over the State. Gov. Brown's friends of the press roundly declared that the House of Representatives had "disappointed the people in all it has done, and in what it has not done, and from the Speaker down, with some honorable exceptions, demonstrated an incapacity or a want of inclination to maintain the chivalry and honor of Georgia." The offi-

cers of Col. Chastain's regiment of State volunteers, passed resolutions and sent them to the Governor to be transmitted to the Legislature, declaring that they were not the property of the General Assembly to be sold and transferred from one owner to another, and avowing that while pledging themselves to the Southern cause, they would not be transferred without their consent. And even the papers most inimical to Gov. Brown, like the Augusta *Chronicle and Sentinel*, while qualifying their commentary so as not to be misunderstood as being his general champion, approved his position against the transfer of these State troops.

The message of the Governor was referred to a special committee, consisting of Norwood, Love, Cabaniss, Schley and Lester, and withheld from the records until the committee could report. The committee on the 13th of December, 1861, made a savage report. It took ground that the message was an unwarrantable interference in the business of the House and in open, direct and palpable violation of the Constitution. It charged that the Governor had prostituted his high office in holding over the heads of the Legislature the threat of a disobedient soldiery, to deter them from the passage of a bill which he disapproved. It declared that the Governor had misrepresented their bill in saying that it contemplated leaving the State to the invasion of the enemy. It concluded with a series of resolutions, enumerating these charges against the Governor and ordering the message, with the report, to be entered upon the journals of the House. No official notice of this action was given the Governor. The Senate not participating in the action, the report was not the act of the General Assembly.

The report elicited a warm debate. Messrs. Whittle, DuBose, Hook and Cochran maintained that the Governor had the right to communicate as he had done. Mr. DuBose thought that the Governor intended no discourtesy, and deemed it unnecessary to spread the report on the journals. Mr. Hood moved as a substitute for the report, to spread the message and bill as passed, on the journals. Judge Cabaniss thought the report just. Mr. Smith, of Brooks, moved to put message, bill and report on the journals. Judge Cochran made a strong speech against the report and resolutions. Col. Akin exclaimed that he had done the Governor an injustice about the refusal of the troops to yield to legislative action. He did not think the Governor meant to convey the idea that the troops would be guilty of insubordination. He had sought the Governor to personally make the correction. Mr. Hook and Judge Cochran commended Col. Akin's conduct.

Gov. Brown came back at the House as aggressively as ever, protesting against the "injustice and misrepresentations" of the report. He deemed it due to the office he held to maintain its constitutional prerogatives against the unwarrantable assumptions of the House. The Constitution made it the duty of the Governor to give the Legislature "information of the state of the republic, and to recommend to their consideration such measures as he may deem expedient." He gave a synopsis of the bill reported by the finance committee, and showed that he had not misrepresented the measure before the House, and he added that if after his message was received the bill was relieved of its objectionable features, it was an evidence that the *argument* contained in the message was productive of a good effect. In reply to the charge of prostituting his office by transmitting the protest of the soldiers, he showed that the resolutions of Col. Chastain's regiment were sent to the House after it had acted, but he said that he trusted he might claim the forbearance of all intelligent citizens for "having laid the remonstrance of a regiment of brave State volunteers against an act of gross injustice to them before a body whose action had shown that its will was to perpetrate the act."

The Governor referred to the fact that the message was addressed to the General Assembly, of which the Senate was a part and which had taken no offence. The Governor had so overwhelmingly the best of the argument that he came out of this remarkable altercation with increased reputation for courage and firmness. The Legislature divided hopelessly; the Senate and House split up and antagonized each other; committees of conference were appointed, and finally resolutions of compromise were agreed upon and passed, which embodied Gov. Brown's views. They provided for a transfer of the State troops only with their consent, and for retaining them if not transferred. The sum of $5,000,000 was appropriated for a war fund for 1862; also, $200,000 for a Georgia Relief and Hospital Association; $100,000 for the support of the State troops; $100,000 for the relief of sufferers by the great fire in Charleston, South Carolina; $50,000 to aid in manufacture of salt. The banks were allowed further relief and privilege of suspension. Resolutions were passed pledging the state to fight until peace was won; recommending the farmers to reduce the cotton crop and plant provision crops; and to prevent monopolies and extortions.

Among the other matters done by this General Assembly were the confirmation of the appointments made by Gov. Brown, of Charles J. Jenkins as Judge of the Supreme Court, and O. A. Lochrane, Judge

Macon Circuit, G. D. Rice, Judge Blue Ridge Circuit, N. L. Hutchins, Judge Western Circuit, E. H. Worrill, Judge Chattahoochee Circuit and W W Montgomery, Attorney General. The election for two Confederate State Senators resulted in Hon. Benjamin Hill being elected on the first ballot over Toombs, Johnson, Wm. Law, James Jackson and Alfred Iverson. The contest over the other senatorship was animated and protracted. The first ballot stood, Iverson, 85, Jackson, 35, Toombs, 49, Johnson, 22, James Bethune, 5, John P King, 3, G. E. Thomas and J. E. Brown, 1 each. On the third ballot the vote stood, Iverson, 73, Jackson, 44, Toombs, 82. After the 5th ballot Iverson was withdrawn, and Toombs receiving 129 votes and Jackson 67, Robert Toombs was declared elected. Gov. Brown notified Mr. Toombs of his election, who declined the office, stating that he could better serve his state and country in the army than in the Senate. He went on to say in deep displeasure at the struggle over the election, "I deem it not inappropriate on this occasion, to say that the manner in which the legislature thought proper to confer this trust relieves me from any obligation to sacrifice either my personal wishes or my convictions of public duty in order to accept it." It was a characteristic thing in Mr. Toombs, a spoiled pet of popular favor, accustomed to win his political victories in a lordly way, and with the ease of Kingly right, to angrily spurn a triumph obtained after a close fight and when he had run through many ballots one of the minority candidates. It was openly charged at the time that the whigs had clutched the legislature, and it was a sort of confirmation of it that none but old whigs were elected, with one or two exceptions. And it was said that Mr. Toombs did not go through until the issue narrowed to him and Democrats of longer standing than himself.

The election for members of the Confederate Congress had resulted in the success of the following gentlemen:

1st District, Julian Hartridge.
2d " C. J. Munnerlyn.
3rd " Hines Holt.
4th " A. H. Kenan.
5th " David W Lewis.
6th " W W Clark.
7th " R. P. Trippe.
8th " L. J. Gartrell.
9th " Hardy Strickland.
10th " Augustus R. Wright.

The dissolving of party lines had resulted in bringing in nearly every opposition leader. Judge Nisbet resigned from the Provisional Confederate Congress on account of ill-health. The ticket of electors put out by the convention that nominated Judge Nisbet, had no opposition and was elected, and cast the vote of the state for Davis and Stephens.

CHAPTER XXIV

THE ORGANIZATION OF STATE TROOPS UNDER MAJOR GENERAL HENRY R. JACKSON.

The Permanent Confederate State's Government.—Georgians in High Civil and Military Office.—Gov. Brown s Famous Controversies with the Confederate Authorities and their Continuance of Georgia's Foremost Agency in the Revolution.—Georgia The Champion of Constitutionalism.—Old Leaders Swallowed Up.—Brown Lifts the State Supremacy.—Year 1862 begins Calamitously.—Address of Cobb, Toombs and Crawford.—Georgia's War Tax.—State Forces Organized.—Maj. Gen. Henry R. Jackson and His Patriotic Self-Sacrifice.—Tribute to Gen. Jackson by Gov. Brown.—Col. Chastain.—Funny Feminine Suggestion to Whip The Federals.—Pemberton Succeeds Lee.—Fort Pulaski Capture.—Col. C. H. Olmstead.—A Gallant Act.—Effect of This Loss.—Reorganization of State Militia.—Gov. Brown's Letter on Planting Cotton.—Gen. Toombs.

THE organization of the Confederate States Government under its permanent constitution was made on the 22nd day of February, 1862. Mr. Stephens was Vice-President. Mr. Toombs had gone into the army, giving up his place as Secretary of State. Mr. Philip Clayton of Georgia was Assistant Secretary of the Treasury. G. E. W Nelson of Georgia was Superintendent of Public Printing. Gov. Brown appointed his old friend, Dr. John W Lewis, Confederate State Senator in place of Gen. Toombs. Up to this time we had in the Confederate army from Georgia, Major Generals, David E. Twiggs, Wm. J. Hardee. Brigadier Generals, Henry R. Jackson, Wm. H. T. Walker, A. R. Lawton, Robert Toombs, W H. C. Whiting, L. McLaws, H. W Mercer, W M. Gardner, John K. Jackson, Howell Cobb, J. B. Villepigue, T. R. R. Cobb, Ambrose R. Wright, Henry L. Benning, J. R. Ramsay, Paul Semmes, and Alfred H. Colquitt.

Some of Georgia's strongest men in statesmanship had gone into the army. Mr. Stephens soon became powerless with the Confederate administration on account of his decided difference of view with Mr. Davis upon vital measures. Neither of them were men to yield, and thus they soon drifted hopelessly apart. It therefore happened that Georgia, from having been a controlling power in the revolution, became almost a nullity at this time so far as concerned the guidance of its policy. But the time was soon coming when the state was to

resume her agency in matters, but it was to be on a different line entirely, and yet a consistent one. Georgia had led in breaking the Union to preserve the principles of constitutional government. She was destined to figure as an uncompromising opponent of Confederate encroachment upon the spirit and the law of the Constitution. And the man who was fated to bear the colors in this struggle was the Governor of Georgia, Joseph E. Brown.

There has been much stricture upon his course, to the effect that the resistance to unconstitutional legislation should have been pretermitted in the hour of war. The time has come to discuss this question fairly and dispassionately. Was Governor Brown right or wrong in principle? It is admitted that he contended for a right thing, but it is claimed that it was done at an inexpedient time. No time is inexpedient to maintain the right. Right is always expedient. Where was the greater danger, from unconstitutional legislation, in a Federal or a Confederate government? If it was right to destroy the Union to preserve the Constitution, it was no less right to deny the sanction of endorsement to the extra-constitutional acts of the Confederacy. It is also true that the final result was not endangered by these conflicts of constitutional argument that placed Georgia in a noble attitude as the champion of that constitutional law and liberty for which we were fighting. If we were right and sincere in our going to war to secure our ideas of government, we then did right in maintaining them in the Southern republic. The reasoning is irresistible. Georgia in standing up for a strict observance of constitutional limitations did her duty, and she deserves the more credit that she did it amid all the temptation to ignore it that arose from the dangers of war and the anarchy of revolution. The consistency of the South was preserved by this splendid rôle that Georgia, under the leadership of Gov. Brown, pursued. It was a dutiful vindication of the conduct of the South in going into the war, and must so be regarded in the calm light of historic truth. There is no escaping the verdict. If we were right to fight for constitutionalism, we were right to oppose its sacrifice even in the stern exigencies of war.

The war absorbed our old leaders, swallowed them up, as it were, in the leveling atmosphere of the bayonet. Toombs and the Cobbs and other great spirits of statesmanship sank into excellent brigadiers among a host of others. Men like Stonewall Jackson, who in the calm of peace would have gone through life obscure and undistinguished; or like Forrest, who would have achieved an undesirable notoriety as successful negro traders, flamed into fame legitimately due to military genius and

surpassing achievement. Georgia had a host of brilliant soldiers and dazzling officers. She had her Hardees, Gordons, Wheelers, Tattnalls and a host of others of lower rank equally heroic and faithful. But so had other states, and we had no superiority. The whole South was brave and true. It was in this monotony of heroism that Gov. Brown raised the State to her wonted supremacy of influence by his bold, able and unanswerable maintenance of our constitutional consistency. And at this long day from that era, reading his masterly and exhaustive papers, written amid all the distractions of those tumultuous times, under all the tremendous inducements to passive subservience, they stand as unequaled demonstrations of intrepid personal conviction and exalted acts of august official duty. This is strong language, but it is due. There may have been an infusion of considerations not relevant, and an occasional betrayal of a stern temper into the indiscretion of severity, but admitting these minor defects, Gov. Brown's defenses of constitutional principle in his great and memorable controversies with the Confederate authorities, must be his most striking record of courageous and masterful statesmanship, and will constitute Georgia's most enduring claim to historic glory in connection with her sacrifices and contributions to the cause of Southern independence, State sovereignty and Constitutional government.

The year 1862 began calamitously for the South. Our expectation of a speedy end had been disappointed. The Federals had a force of 800,000 men in the field, and the South had 300,000. Kentucky and Tennessee had fallen into the Federal hands. Lodgment had been made on the coast of North Carolina by Burnside's expedition. Southern embassies to Europe had failed to secure intervention and even recognition. Just before the provisional government of the Confederacy ended, Howell Cobb, R. Toombs, M. J. Crawford and Thos. R. R. Cobb issued an address to the people of Georgia placing the situation clearly before them. What they called "unpalatable facts" were candidly given. The purport of the address was, that we were in a frightful conflict with a determined enemy, whose numbers and resources we could not equal, and we could only succeed by a united and unconquerable resistance that would put the torch to every home before yielding it to the foe. The address discarded hope of foreign interference as remote, and expressed confidence in the final result.

A requisition was made upon Georgia for twelve additional regiments. The Confederate war tax on Georgia amounted to $2,494,112.41, and was promptly raised by the issue and sale of State bonds, Gov. Brown

Henry R. Jackson

having the amount in hand before it was due. Ten per cent. was saved by relieving the Confederate authorities of the direct collection from the people, and in addition to this the Comptroller General, Col. Thweatt, discovered an error in the Confederate assessment of $60,016.16, which his vigilance saved to the State. The banks patriotically advanced two millions of the amount to the Governor as early as February, the tax being due April 1st.

The operations on the Georgia coast in the early part of 1862 were very active. Gov. Brown selected Gen. Henry R. Jackson for the command of the State forces on the coast, and nominated him as Major-General, in chief command of all the State troops, which nomination was unanimously ratified by the Senate of Georgia.

This gallant officer had served brilliantly in the Mexican war as Colonel of a regiment. His service in West Virginia during 1861 had been conspicuous and valuable. The operations in that locality were ended. Gen. Jackson therefore hailed joyfully the prospect of a change to Georgia, his own State, whose coast was the object of Federal attack. The selection of Gen. Jackson for this duty was a deserved recognition of his merit, and a compliment of which he could well be proud. Gov. Brown immediately sought to have him ordered on this congenial and honorable mission, he welcoming gladly a transfer from inactivity to a field of peril and usefulness—that field his own beloved State, and he urged the change. It was one of those strange acts of the Confederate administration that it so frequently did, to disregard this call for this worthy officer. The campaign in Virginia had ended; by far the larger portion of Gen. Jackson's command had been withdrawn from him and sent elsewhere; he had been ordered into winter-quarters *within handling distance* of the remnant. All eyes were directed to the Southern sea-board as the scene of operations for the winter. Gen. Lee, who was in command on the Southern coast, as he told Gov. Brown, preferred Gen. Jackson to command the Georgia troops, and had been "negotiating" with the war department for him at the time. Eager to accept the flattering call of his own State from an inactive to active duty, Gen. Jackson applied for leave of absence to take the more perilous service in Georgia, but was sternly and inexplicably refused. With that chivalric patriotism that belonged to the man, Gen. Jackson resigned the coveted commission which he held in the Confederate army, feeling that he could not ignore the demands of his own people menaced with danger, to stand peaceful watch in the then quiet mountains of West Virginia. Gen. Jackson as Major-General of the State troops had under him

Brigadier Generals George P Harrison, F W Capers, and also, William H. T. Walker, who had resigned from the Confederate service. Gen. Jackson coöperated with Brig. Gen. A. R. Lawton, who had command of the Confederate forces and the territory comprehended in the Department of Georgia. Brig. Gen. H. W Mercer of the Confederate army commanded Savannah. Gen. Robert E. Lee was in command of the extreme Southern coast, including Georgia and South Carolina.

Gen. Jackson received orders direct from Gov. Brown. His Adjutant General was Lt. Col. Charlton H. Way. During the brief campaign of a little over three months in which the state troops were in service, there was a vast deal accomplished. Gen. Jackson was very zealous, and between himself and Gen. A. R. Lawton, commanding the Confederate troops, there existed an admirable accord. The official correspondence of Gen. Jackson's division shows many interesting, as well as some lively episodes. Gov. Brown gave a close supervision to every detail of the service. The Governor entertained a cordial regard and admiration for this capable and distinguished officer. In his message to the General Assembly in the following November, in referring to the state troops Gov. Brown used this language about Gen. Jackson:

"It is but justice to Major General Jackson, that it be remarked that he had, with untiring energy and consummate ability, pressed forward the preparation of the defenses and the training of the army, and that the people of Georgia owe much of gratitude to him for the safety of the city of Savannah and its present freedom from the tyrannical rule of the enemy. There is not probably an intelligent, impartial man in the state who does not regret that the services of this distinguished son of Georgia should not have been properly appreciated by the Confederate authorities, and that he should not, after the Georgia army was transferred, have been invited by the President to a command equal to his well-known ability and merit. This was requested by the Executive of this state, which request was presented to the President by her entire delegation in Congress."

Col. E. W Chastain, who commanded the 8th regiment of Gen. Walker's Brigade, was arrested by Gen. Walker for using severe language to Major O. C. Myers, the Assistant Adjutant General of the Brigade. The Governor knew the value of the volunteers and their spirit too well to disgrace officers on account of a hasty ebullition of profanity, and insisted that Col. Chastain should not be punished beyond arrest. Capt. Henry Cleveland, in charge of the Savannah arsenal, had been the editor of the Augusta *Constitutionalist*, and was a writer of genius. In his position in the Ordnance Department he appears not to have had very harmonious relations with Major Lachlan McIntosh,

the Chief of Ordnance for the state. Writing in January to Gen. Jackson, Major McIntosh thus discoursed:

"It is but right for me to say that I fully appreciate Captain Cleveland's eccentricity, and deeply regret that there is not some other field open to that gentleman wherein to exercise his wondrous administrative abilities."

A lady signing herself "P. M. L.," made the following unique suggestion for the defense of the city of Savannah, stating that she had been trying to think up a plan to "expel the Yankees" from the coast and had hit upon this plan.

"To put on board of boats about 500 or 1,000 barrels of turpentine (first having made a calculation of the speed of the water of the Savannah river, so as to allow the proper time to elapse), and go to within a mile of the fleet (during the night) and at different distances have the turpentine turned out along across the water, having allowed the proper time to elapse from the turning out of the turpentine, for it to reach the fleet, as it will not mix with the water. Then set fire to the turpentine poured upon the water, and it will do them much damage, if not entirely rout them. Now if you will head the expedition to see that all is done at the proper time, and in order and no failure, I think somebody will be hurt. It at least will be worth trying. I only give the initials of my name below, as I do not wish you for a moment to think that I, a lone female, should dictate to one of your experience and judgment what should be done."

This feminine invention is solemnly filed among the patriotic archives of that exciting period. Gen. Lee was transferred to another department, and Maj. Gen. Pemberton assigned to the command of this department. The enemy inaugurated the series of movements that resulted in the loss to the Southern cause, and to Georgia, of Fort Pulaski. Tybee and Warsaw Islands were covered with Federal troops. The inlets of our coast swarmed with Federal vessels. Skidaway and Green Islands were abandoned by Gen. Pemberton. The line of defense was confined to the main land. By the 22d of February, the Federals succeeded in a complete isolation of Fort Pulaski, by removing the obstructions in Walls Cut and thus entering the Savannah river in the rear of the Fort. Commodore Tattnall succeeded in effecting a passage to the Fort in the very teeth of the Federal gunboats, and supplied the garrison with six months' provisions. Eleven batteries were thrown up on Tybee Island.

The garrison of Fort Pulaski consisted of 365 men and 24 officers, under command of Col. Charles H. Olmstead, a gallant and capable officer. He was a graduate of the State Military University at Marietta, and combined in a striking degree the graces and culture of the true gentleman with the intrepidity and skill of the soldier. Gen. David Hunter commanding the Federal forces, demanded the surrender of the

Fort on the morning of the 10th of April, 1861, and Col. Olmstead replied briefly that he was there "to defend the fort, not to surrender it." The bombardment began and continued for two days. The main fire of the foe was directed on the south-east angle of the fort. The guns in it were all dismounted, and a large breach made through which the shot and shell went directly to the magazine. Retreat was impossible, and further defense impracticable. The Fort was surrendered at half past two o'clock, the 11th day of April, 1862, honorable terms having been granted the garrison. Col. C. C. Jones in his well-written sketch of the Chatham Artillery, relates an incident of personal daring that occurred during this siege that deserves preservation. In the second day's bombardment, in a storm of shot and shell the flag was shot down. Lt. Christopher Hussey, of the Montgomery Guards (Capt. Guilmartin), and private John Latham, of the Washington Volunteers (Capt. McMahon), leaped upon the parapet, upon which the fatal hail of battle was raining an unbroken torrent, disentangled the fallen symbol of defiance, coolly carried it to the north-eastern angle of the fort and floated it gayly to the ball and breeze on a temporary staff, erected for the occasion on a gun carriage. It was an intrepid act of personal heroism.

The loss of Fort Pulaski stimulated the preparation for the defense of the land. The term of enlistment of the troops was expiring in many cases. The hot fever of the early days of the war had very much quieted down. The effervescence had dissolved. Men were not so eager to fight. A year of actual service had dissipated the poetry of soldiering. Men had come to a recognition of the cold realities of a desperate conflict. There was a decided toning down of that buoyant eagerness for enlistment that so marked the inception of the struggle, but it was still true that the men of Georgia came forward willingly to the serious work in store for us and not to be avoided. The loss of Fort Pulaski stirred every patriotic heart in Georgia. It nerved every man and woman to resistance, and to cordially persevering in the duty of the hour.

Gov. Brown issued a Proclamation for a complete organization of the militia with a view to a draft if there were not voluntary enlistments. The State troops had almost unanimously voted against a transfer to the Confederate war authorities. In recognition of the grave crisis the 7th day of March was appointed as a day of Fasting, Humiliation and Prayer. The use of corn in the distillation of spirits was prohibited by proclamation to prevent the consumption in that way of grain needed for food. A reward of $5,000 was offered for the discovery of any salt

springs or wells that would afford 300 bushels of salt a day, the Governor taking the responsibility of proclaiming such reward without authority. Gov. Brown paid a visit to the coast early in April, and reviewed and addressed the State troops. In this speech he complimented their defense of the sea-board, and urged them to re-enlist, making an earnest appeal to their patriotism.

A vital subject at that time was the policy of the farmers of planting provision crops instead of cotton. Judge Linton Stephens in behalf of a number of citizens addressed a note to Gov. Brown asking his views on this matter. The reply was an able discussion of the subject. He said that we had more to fear from the production of cotton than any other disadvantage. The ordinary sources of provision supply were very much diminished. We would have to rely upon ourselves for food. The reply ended with an appeal to the farmers to do their duty in this crisis. Hon. Alex. H. Stephens came to Georgia and made a strong speech, urging the people to continued energy and sacrifices in the prosecution of the war, and in this speech he pressed the paramount necessity of raising ample food crop. Gen. Toombs incurred much odium by his course on this matter, he boldly insisting upon raising upon his own plantation nearly full crops of cotton. And the following dispatch from Gen. Toombs brought him considerable animadversion.

"RICHMOND, June 11, 1862.

"*To Messrs. Geo. Hill, A. F. Newsom and Wm. Carter, Committee.*

"GENTLEMEN:—Your telegram has been received. I refuse a single hand. My property, as long as I live, shall never be subject to the orders of those cowardly miscreants, the Committees of Public Safety of Randolph County, Ga., and Eufaula. You may rob me in my absence, but you cannot intimidate me.

"ROBERT TOOMBS."

County meetings were held in which the farmers pledged themselves to drop cotton and raise provisions.

CHAPTER XXV

BROWN AND DAVIS IN THEIR GREAT TUSSLE OVER CONSCRIPTION.

The Conscription Act.—Not Needed in Georgia.—Col. A. H. Kenan and Gov. Brown.—A Cabinet Place in Brown's Grasp.—The Correspondence between Gov. Brown and President Davis.—A Model of Statesmanlike Controversy —The Discussion.—A Mile-stone of the Revolution.—Mr. Davis' Treatment of the Controversy in his "Rise and Fall of the Confederacy."—A One Sided Presentation.—Both Sides Fairly Given in this Volume.—Gov. Brown Obeys the Act.—The State Troops Turned Over —The Officers Refused.—Gen. H. R. Jackson's Farewell Order.—Gov. Brown's Order.—This State Force Episode Romantic.—The Folly of the Confederate Administration.—The Arrest of Col. Ben. Laugbridge.—Col. C. J. Williams.—Col. Walter Ector.—Mrs. C. J. Williams.—Hon. Alfred Iverson.—Unverified Prophecy.—The Funny Blunder of the Types.—"Stripped Wives."—The Audacious Attempt to Seize the State Road.

THE Conscription Act passed the Confederate Congress in April, 1862. Its passage was the result of the military stress. Mr. Davis recommended the measure in a special message, and the Confederate Congress promptly passed it, under decided and considerable opposition. It was not needed in Georgia. For every requisition there was more than ample volunteering. Under the last call for twelve regiments, Gov. Brown furnished eighteen. And he expressed the belief that he could have raised fifty regiments if Mr. Davis had called for so many. The spirit was still rife for volunteering, and it continued to be a difficult matter to reconcile captains of companies who were left out of regiments. From the time the Conscript Act was enforced in Georgia, there was a greater reluctance to go to the field than had ever before been shown. Even after that, however, there was no difficulty in furnishing troops promptly and in larger numbers than called for, if they had the right to form their regiments at home, and elect their own officers. It was the practice at the North at the same time that Mr. Lincoln made requisition upon the Governors of States for troops, to furnish them organized into regiments. And there was no difficulty in Georgia about getting plenty of troops when they were allowed the privilege of organizing and electing their own regimental officers. That practice would have given regiments in our State as long as there were men out

Jefferson Davis.

of which to make them. This right of organization they considered the Constitution clearly guaranteed to them, and they set great store by it.

It must ever remain a mooted point, whether the Conscript Law was a benefit or an injury to the Southern cause. It was claimed a necessity, and therefore enacted and enforced for this reason. Its opponents bitterly disputed its necessity, while as urgently arguing its unconstitutionality. It may well be doubted when people have been dragged by law to the forced support of a cause, and when they will not voluntarily rally to such cause, whether success can be achieved. Be this as it may, conscription was never necesssary in Georgia. The most determined opposition to the Conscript Law came from this State. And the controversies that ensued between Gov. Brown and Mr. Davis and his Secretary of War were matters of intense and universal Southern interest, and the antagonism resulting became as bitter as it was historic.

There is a curious and interesting incident connected with this act of conscription. The Act awakened a general and lively interest and provoked a warm public discussion. The people were prepared for it before it came. Every effort was made to harmonize popular sentiment upon it that it might go off well. Among the special friends of Mr. Davis was Col. Augustus H. Kenan, one of our Georgia Confederate congressmen, representing the district in which Milledgeville lies. He was well known over the State, of imperious force of character, a large, handsome, imposing person, rather haughty and aristocratic, but possessing ability and honor. He was known to be a friend of Gov. Brown, and was probably for this reason selected for the mission of which we are speaking. It was known that Gov. Brown was not favorable to the Conscript Act. Col. Kenan came to Georgia, and seeking an interview with Gov. Brown, he tried in a long and earnest talk to reconcile him to the support of conscription, or at least, to induce him to make no opposition. The conversation became very animated, and at times stormy. Both were positive men, both combative, both unyielding, both of a dominating temper. Col. Kenan plied every argument and persuasion to the placid but determined anti-conscriptionist, but in vain. Gov. Brown would not yield to logic or entreaty. He was firm and immovable. In the course of the interview, Col. Kenan intimated to Gov. Brown that a place in the Cabinet of Mr. Davis would be at his command if matters went harmoniously. But Gov. Brown would not yield his place as Governor of the great State of Georgia for any

Cabinet office. The mission was unsuccessful, and towards the close, the interview became very warm, both gentlemen getting emphatic and somewhat plain spoken. And they parted in spirited disagreement, and under considerable display of feeling against each other; but in their next meeting, having cooled, their temporary misunderstanding was laid aside and they resumed their wonted friendliness of intercourse, based upon a hearty respect and reciprocal regard.

The first important correspondence was between Gov. Brown and Mr. Davis, and was on the constitutionality of the Conscript Act, and was conducted with great ability and dignity on both sides. It was a model of statesmanlike controversy, lofty, courteous, argumentative and powerful. Both showed themselves masters of the subject—each presenting his side with striking force. The first letter of Governor Brown was dated April 22, 1862, and notified Mr. Davis of his receiving a copy of the Conscription Act and of his turning over the state forces in compliance therewith to the Confederate command. He went on to state that Georgia had seceded from the Union because the Federal government had disregarded the rights of the states. He contended that the Conscription Act puts it in the power of the Confederate Executive to disorganize all state troops and destroy Georgia's state government by disbanding her law-making power. Under the Conscript Act every officer of the state governments, the state employés, the mechanics, railroad operatives and state military officials, etc., can be forced into the Confederate service. It was unconstitutional for the Confederate Executive to have such power. He argued that the act was in conflict with the Constitution, which reserves to the states the right to appoint the officers of and train the militia. He declined to have anything to do with the enrollment of conscripts, leaving the execution of the conscript law to the Confederate authorities, reserving any test of the constitutionality of the act for consideration when it may less seriously embarrass the Confederacy in the prosecution of the war. He desired to know what exemptions would be made. Mr. Davis replied briefly on the 28th of April, 1862, inclosing copies of various acts exempting certain classes from military service. The wager of battle was thrown down in the following condensed utterance: "The constitutionality of the act you refer to as the 'conscription-bill,' is clearly not derivable from the power to call out the militia, but from that to raise armies."

Governor Brown's second letter, dated May 9, 1862, started out with the assurances that while as an individual or Executive he proposed to

give Mr. Davis all aid possible in the war, he did not propose to commit the state to a policy subversive of her sovereignty and at war with the principles for which Georgia entered the revolution. The Conscription Act could not aid in getting more arms, but more men, and as more men could be enlisted than could be armed, the act was not necessary. As to the constitutional point he argued that all the grants of power given by the Constitution to Congress must be construed together and be subject to that paragraph which reserves to the states the right to appoint officers. The grant to raise armies refers to regular armies, and not those composed of the whole militia of all the states; and if under such grant all of the militia of the states could be used by Congress, with the power of appointment of officers, then the constitutional provision securing the states the reserved rights over militia was a nullity. The debate on the Federal Constitution shows how sacredly this right of the states was regarded and preserved. This letter wound up with this strong paragraph:

"Should you at any time need additional troops from Georgia to fill up her just quota in proportion to the number furnished by the other states, you have only to call on the Executive for the number required, to be organized and officered as the Constitution directs, and your call will, as it has ever done, meet a prompt response from her noble and patriotic people, who, while they will watch with a jealous eye, even in the midst of revolution, every attempt to undermine their constitutional rights, will never be content to be behind the foremost in the discharge of their whole duty."

Mr. Davis wrote his second letter on the 29th of May, 1862. His Cabinet, Attorney General and a majority of Congress believe the conscription constitutional. The power of Congress to raise armies under the Constitution was broad and unqualified. It could raise armies without limitation as to method or material, and to any extent necessary. The necessity in this case was urgent, to prevent the disbandment of twelve-months' troops whose times were out. The militia of a state are only militia when called out and organized, and are not the citizens taken singly. The power of Congress to call out state militia is different from the power to raise armies. The grant of exclusive power to raise armies is not restricted by a grant of divided power over militia. They are two distinct subjects. The armies and the militia are necessarily raised out of the same material. The power to enlist must be co-extensive with the exigencies of the occasion, and the extent of the exigency must be determined by Congress. The existence of the Confederacy being threatened by vast armies, the Congress had in its power called for, not militia, but men to compose armies. Mr. Davis

wound up his letter with these sentences, the first remarkable in the light of the final result:

"At some future day, after our independence shall have been established, it is no improbable supposition that our present enemy may be tempted to abuse his naval power by depredation on our commerce, and that we may be compelled to assert our rights by offensive war. How is it to be carried on? Of what is the army to be composed? If this government cannot call on its arms-bearing population otherwise than as militia, and if the militia can only be called forth to repel invasion, we should be utterly helpless to vindicate our honor or protect our rights. War has been well styled 'the terrible litigation of nations.' Have we so formed our government that in this litigation we may never be plaintiff? Surely this cannot have been the intention of the framers of our compact.

"In conclusion, I take great pleasure in recognizing that the history of the past year affords the amplest justification for your assertion that if the question had been whether the conscription law was necessary to raise men in Georgia, the answer must have been in the negative. Your noble State has promptly responded to every call that it has been my duty to make on her; and to you personally, as her Executive, I acknowledge my indebtedness for the prompt, cordial and effective coöperation you have afforded me in the effort to defend our common country against the common enemy."

Gov. Brown's third letter was dated June 21, 1862. It expresses the conviction with great diffidence that Mr. Davis has failed to sustain the constitutionality of the Conscription Act. He calls attention to the omission of Mr. Davis to answer that part of his argument which established that the contemporaneous construction of the Federal Constitution nor the earlier practice of the Federal Government sustained the constitutionality of conscription. This letter is a very lengthy and exhaustive one. He takes Mr. Davis to task for assuming such a strong Federalist position, as that Congress is the judge of its own powers. He says that he had for years regarded Mr. Davis as one of the ablest and boldest defenders of the States' Rights school. Gov. Brown quotes liberally from the utterances of Madison and Calhoun and from the Virginia resolutions. He follows the exercise of the power claimed for Congress to its full extent, alleging it would make Congress supreme over the states, placing the very existence of the State governments subject to the will of Congress. It can compel the Governors of States, Judges of State courts, State militia officers to go into service as privates in the Confederate armies, and thus practically disband the State governments whenever Congress shall judge that it is necessary. The very exemption acts of Congress are assertions of the unconstitutional and dangerous power that Congress claimed and that Gov. Brown opposed.

Gov. Brown argued at very considerable length the sound policy of allowing the State troops to organize themselves and choose their own

officers. The right to select their own officers was one dearly cherished by the troops, and they did better service when allowed the privilege. The volunteers clung to the right tenaciously. The Conscription Act embraced so large a proportion of the militia officers in Georgia that it would absolutely disband the organized militia left at home, and leave the women and children helpless against negro insurrection. Gov. Brown wound up with these very kind words:

"If I have used strong language in any part of this letter, I beg you to attribute it only to my zeal in the advocacy of principles and a cause which I consider no less than the cause of constitutional liberty, imperiled by the erroneous views and practice of those placed upon the watch tower as its constant guardians.

"In conclusion, I beg to assure you that I fully appreciate your expressions of personal kindness, and reciprocate them in my feelings toward you to the fullest extent. I knew the vast responsibilities resting upon you, and would never willingly add unnecessarily to their weight, or in any way embarrass you in the discharge of your important duties. While I cannot agree with you in opinion upon the grave question under discussion, I beg you to command me at all times when I can do you a personal service, or when I can, without a violation of the constitutional obligations resting upon me, do any service to the great cause in which we are so vitally interested."

The third letter of Mr. Davis, dated July 10, 1862, disclaimed any sentiment that "Congress is the final judge of the constitutionality of a contested power." He adds that "the right of each state to judge in the last resort whether its reserved powers had been usurped by the general government is too familiar and well-settled a principle to admit of discussion." Mr. Davis concludes thus:

"As I cannot see, however, after the most respectful consideration of all that you have said, anything to change my conviction that Congress has exercised only a plainly-granted specific power in raising its armies by conscription, I cannot share the alarm and concern about state rights which you so evidently feel, but which to me seem quite unfounded."

July 22, 1862, Gov. Brown wrote his fourth letter, which concluded this memorable correspondence between the President of the Confederacy and the Governor of the leading Southern state upon the most important act of Confederate legislation. In this letter Gov. Brown struck Mr. Davis a center stroke and turned his own fire upon him. He insisted that in all regiments organized in the State, and turned over as organized bodies to the Confederate government, they should be permitted to elect their own officers to fill vacancies. He made this demand with the greater confidence because in the Mexican war, when President Polk tendered Mr. Davis (then colonel of a gallant Mississippi regiment) a commission as brigadier general for heroic services, Mr. Davis declined the appointment on the ground that the President had no right under

the Constitution to appoint a brigadier general to command the State volunteers then employed in the service of the United States Government, but that the State alone could make such appointments. If such was the constitutional difficulty then, certainly, under the same provisions, the Confederate Government could not appoint not only the brigadier generals but the field and company officers of State troops. The profound interest created by this controversy pervaded the whole Confederacy. The importance of the subject, the high position of the gentlemen and the ability and dignity of the letters make the discussion one of the mile-stones of the revolution.

Mr. Davis in his "Rise and Fall of the Confederacy," recently published, prints his own letter of the 29th of May, 1862, as his presentation of his own side of the question, except that he omits the paragraphs complimenting Gov. Brown and the State of Georgia. He also fails to extend to Gov. Brown the justice of publishing his side of the question. The discussion was so important, able and exhaustive on both sides, that it is deemed a matter of sufficient historic interest and value to print in "Appendix B" of this work the letters in full of Mr. Davis of the 29th of May, 1862, and of Gov. Brown of June 21st, 1862, as embodying the full argument of each distinguished gentleman for and against the great subject of Conscription. The reader can for himself contrast the elaborate pleas.

But notwithstanding his effort to preserve the sanctity of constitutional principle, Gov. Brown gave a practical and instantaneous obedience to the Confederate law. Hon. G. W. Randolph, the Confederate Secretary of War, telegraphed Gov. Brown on the 15th of April, 1862, of the passage of the Conscription Act, which placed in the Confederate service all men between 18 and 35 years of age, not legally exempt. Gov. Brown the same day responded by telegraph, "I propose to turn over the troops who yet remain in service with the responsibility to you, immediately, in such manner as may be most agreeable to the President." This unhesitating and unconditional co-operation with the Confederate authorities should satisfy all fair-minded men that Gov. Brown in defending the principle for which he was fighting was governed by a high and commendable sense of duty, and was entirely consistent with a devotion to the cause and an energy in its maintenance, that were not surpassed in the whole vast extent of the struggle.

Mr. Randolph telegraphed to Gov. Brown to keep his troops together, and employ his State enrolling officers. Gov. Brown telegraphed on the 16th to Maj. Gen. Henry R. Jackson the expiration of his command,

and directing that the Brigade commanders under him with their commands report to Brig. Gen. Lawton. He tendered his thanks to the officers and men for their patriotic conduct, and justly stated that "the works around the city of Savannah will relate to posterity the skill, intelligence, energy and patriotism of the State troops of 1861-62." Gen. Jackson, on the 16th, issued his order bidding farewell to his Division, in which he used these words:

"While he confesses to a keen disappointment in the disorganization of his command before it had encountered the enemy in battle, he feels strengthened by the conviction that whenever, or under whomsoever, its elements may be called into action, they will exhibit not only the heroism of Georgian's fighting for their liberties, but the force and efficiency of drilled and disciplined soldiers."

Gov. Brown issued an order, which, like the farewell order of Gen. Jackson, is a touching and graceful expression of feeling. In it he used this remarkable language—remarkable in connection with the Conscript Act, in illustrating the conscientious purity of his position in regard to that measure.

"The country is now in great peril, and the city of Savannah threatened with an early attack. Under these circumstances *whatever may be your opinion or mine of the the wisdom or propriety of the* Conscription Act, it behooves us all as Georgians and patriots, to sacrifice our personal interests, feelings and aspirations upon the altar of our common country. I therefore admonish each and every one of you, to perform in the future, as you have done in the past, all your duties as soldiers, with promptness and cheerfulness, and to remain in the service without regard to the expiration of your respective terms, till Savannah is safe, and the invaders driven from the soil of our beloved State."

Taking it all in all the episode of this gallant division of state troops was a right romantic one, and of striking interest, and its transfer was full of touching features. Called into existence under a doubtful authority, yet through a masterly prescience of the future in Gov. Brown, it was vindicated by the very emergency that he foresaw and that it remedied, and it was a crowning tribute to his daring readiness to assume responsibility for the public good. It was this quality in Gov. Brown that made him so valuable, so famous and so popular during the war. Signally clear-sighted and absolutely fearless, he unerringly divined future necessities, and fearlessly acted while other men deliberated. He did whatever he believed for the best, leaving consequences to take care of themselves. Nor was there any vacillation or looking back after he had acted. He shrank from no opposition or criticism, but confronted the logic of his deeds with unflinching intrepidity.

The legislative battle over the State troops was a highly colored act of this lively drama. And it tested Gov Brown's supreme nerve in adhering to his will. It looked as if the legislature would crush him out. It raised the black flag against him, nearly, and in its collective majesty thundered his destruction, its august aggregate of condemnation striking him in his single-handed isolation. But he stood like a rock, defied their arguments, recriminated their denunciation, and boldly appealed to the people. They sullenly yielded the victory, which he firmly clutched from their unwilling hands. But when the treasured fortification of Pulaski fell and the sea-board was beleaguered with fleets and armies, and the brave troops he had so long before called into service on his own audacious and questionably authorized volition stood the safe-guard and protection of Georgia's liberty, then did he receive the full meed of praise and gratitude due to what was heroic personal and official sense and courage.

Perhaps the most interesting matter connected with this superb division of state forces, this noble little Georgia army was the generous self-sacrifice of its officers, who so promptly laid down their cherished commissions and with them the opportunity of that exalted ambition, which so largely enters into both the patriotism and military glory of the soldier's career. Can it be wondered that a directing administration should finally fail that so wofully blundered as to throw over the superb officers who led this division, who had organized and disciplined it, and who could point to a proud piece of handiwork, renounced in a lofty spirit of self-abnegation, that deserved recognition. There was not in the comprehension of both armies a brighter galaxy of military spirits than the division and brigade commanders of this rare little force, and yet not one of them was retained by the Confederate government, the command being received by regiments and battalions. It was a cruel injustice and a fatal folly. And the aggregate of such blunders helped the ultimate defeat.

The injustice was especially reprehensible in connection with the heroic and capable commander of this superb division, Gen. Henry R. Jackson. In the Mexican war he had served with Mr. Davis, and there had been some intercourse not entirely smooth. Mr. Davis has been noted for carrying with him the memory of resentments. There would be no severe stretch of probabilities to read in the treatment of Gen. Jackson the invisible stimulus of an unforgotten prejudice. He had, in order to take this state command at the call of his native commonwealth, been forced to lay down his brigadiership, a leave of absence

for that purpose having been refused him by the Confederate government. He had wrought his division to superb organization and efficiency. In the hour of proud consummation he unmurmuringly yielded it up to the Confederate authorities to avoid embarrassment created by his rank, and retired to the ranks, even offering himself as a private in the company he had taken to Mexico. The people of Florida, through a committee, called for him to command there, but another was assigned to that duty.

A Georgia delegation from the army of Tennessee applied for Gen. Jackson, but the President received the application in silence. When Gen. Cobb was ordered to the command of a military geographical division, embracing Florida and a part of Georgia, he wrote to Gen. Jackson to ascertain whether he would desire the command of a district under General Cobb, should a plan which he had submitted, dividing his command into two districts, be adopted. Gen. Jackson replied that he would be thankful for any position in the field, and wrote to Gen. Cooper, the Confederate Adjutant General, soliciting the appointment. Gen. Cooper replied in a brief note that, as the President did not approve of Gen. Cobb's plan, Gen. Jackson's "services were not needed." It was a strange purpose that withheld service from an eager, gallant, skilled and experienced officer of such consummate ability, who so urgently and variedly sought military duty.

Gen. Jackson was finally restored tardily to his Brigadier's rank in the Confederate army when the ill-fated struggle was drawing to its close, and with a noble brigade skillfully handled, he accompanied Hood to Tennessee. He shone in every battle, and finally in the lines before Nashville he held his place until both flanks were driven back, and was captured by overwhelming numbers. He was retained as a prisoner of war until the surrender of the armies of the Confederacy, which occurred a few months afterwards, and thus honorably terminated the military career of this brave, accomplished and patriotic officer.

Several incidents occurred that demonstrate Gov. Brown's quality of decision. Upon the issuance of Gov. Brown's order stopping the distillation of whiskey, Col. Laughridge, the commanding colonel of the Murray county militia, not only denied the right of the Governor to issue the order, but himself disobeyed it by running a still. The Governor immediately ordered the arrest of Col. Laughridge, and he was court-martialed, convicted, and fined $500. When the Governor ordered the seizure of salt, he took one thousand bushels belonging to A. K.

Seago of Atlanta. Mr. Seago was paid for his salt and receipted for the money. The salt was placed in charge of William Watkins, one of the military store-keepers of the State. Mr. Seago filed an action of Trover against Mr. Watkins, and made the necessary affidavit to put him under $32,000 bail. Gov. Brown promptly ordered the sheriff to release Mr. Watkins from arrest and abstain from any further proceedings, declaring that in time of war, with the enemy on our soil, he could not permit military operations to be hindered by civil authority. Learning that there was some talk of the sheriff refusing to obey the order, the Governor issued an additional instruction to Gen. W P Howard, commanding the 1st Brigade of the 11th Division of the militia, to use any force necessary to prevent Watkins' incarceration in prison, or if imprisoned, to release him and arrest the sheriff. This settled the matter and quieted the sheriff.

During the early part of 1862, two very valuable Georgians died, Col. C. J. Williams of Columbus, colonel of the 1st Georgia Regulars, and Col. Walter Ector of the 13th Georgia Infantry, both gentlemen dying from disease incurred in the service in Virginia. Col. Williams stood very high in the State, and had been prominent in our politics. He had been Speaker of the House of Representatives. He had in a high degree, the confidence and esteem of Gov. Brown. His widow, Mrs. Mary A. Williams, originated the beautiful "Decoration Day" that has become an established custom of the country, North and South, since the war. And she also conceived and started into actual operation, from Georgia to Virginia, the beneficent system of "Wayside Homes" for soldiers, that did so much good during the war. She was the daughter of Major John H. Howard, a noted politician and railroad president. In 1846, she presented a flag to the 1st Georgia regiment, commanded by Col. Henry R. Jackson, her prospective husband, C. J. Williams, being Major, whom she married after the Mexican war. She died in Columbus, at the house of her son, on the 15th of April, 1874, and was buried with military honors. Her grave is decorated every memorial day. She sent her only son to the war at fourteen years of age. In Appendix "C" will be found the original communication, written to the Columbus *Times*, suggesting the "Memorial Day" custom. A son of hers, C. H. Williams, is one of the leading journalists of the State, now publishing the Atlanta *Gazette*.

Upon the refusal of Mr. Toombs to accept the election as Confederate States Senator, the Hon. Alfred Iverson, ex-United States Senator, published a letter declaring that he would not accept the appointment from

Mary Ann Williams

MRS. MARY A. WILLIAMS, Author of the Decoration Day Custom.

Gov. Brown, the legislature having defeated him for the office. He took occasion to refer to his famous Griffin speech, to which reference has been made in this volume, and which elicited so much hostile commentary, and was declared to have buried him politically. In that speech he had declared for disunion on the ground that the abolitionists meant to destroy slavery, and separation alone would save slavery. He had been discarded for that speech, but called attention to the verification of his views, and the fact that the people now stood with him. The concluding sentences of this letter of the distinguished ex-Senator are a striking expression of the confident spirit of the times, and like many other prophecies of that day, read incongruously in the light of the final result. In complacent review of his disunion efforts, Mr. Iverson thus spoke:

"Our liberties will be won; our government will be maintained; our independence achieved and acknowledged by all nations. The blasts of 'wild war' will subside and gentle peace return to bless and smile upon our beloved Southern homes. Having contributed all in my power to bring about these glorious results, I ask no more than to enjoy in peace and quiet the blessings of freedom under a government for which my heart has yearned for years."

An amusing mistake occurred in connection with the patriotic spirit of the people as shown in the willingness expressed to strip their roofs to furnish material to mould into cannon. The matter was generally discussed. In the over-mastering desire to aid the cause, the people were ready to make any sacrifice and give up any property that could be used. The Adjutant General of the State, Gen. Henry C. Wayne, wrote to a Savannah lady in reply to an inquiry about utilizing brass and copper for manufacturing cannon. The letter was published in the Savannah *News*, and contained this expression: "I mention this that we may not have *our wives stripped to no purpose.*" The letter was widely copied and evoked a volley of comment and speculation as well as raillery. The Atlanta *Commonwealth* solemnly declared that "an official announcement of the fact was uncalled for." It seems that the General's letter should have been printed with the word "*roofs*" instead of wives, which would have made the expression read, "I mention this that we may not have our roofs stripped to no purpose." The Atlanta *Intelligencer* stopped the very ridiculous agitation with an explanation of the matter, and trusted that the good wives of the country would be satisfied and pardon that printer's blunder.

In April of this year, 1862, occurred a most audacious attempt of some Federal spies on the State road. The leader in it was a man by

the name of Andrews, who was at the head of a band of twenty-two men. He was a tall, black-bearded man, wearing a military black overcoat with a large cape. The object of the men was the destruction of the thirteen bridges on the Western and Atlantic railroad, besides general damage to the road. The project was more daring than feasible, or of any practical utility, as it contemplated injury that could so soon be remedied. But it illustrates the spirit of adventurous hazard that prompts bold men in war times. These men got on the train at Marietta and at Big Shanty, some twenty-five miles from Atlanta, uncoupled the engine and three cars from the passenger train while the passengers were in at breakfast, and made for Chattanooga. Mr. W A. Fuller, the conductor, with Mr. Anthony Murphy, the superintendent of the road shops, and the engineer Jeff Cain, started on foot in pursuit. They soon reached a hand-car, and gathering reinforcements as they went along they pushed vigorously for the audacious depredators. It was a long and an exciting chase. At Acworth the track was blocked with forty or fifty cross-ties, and the telegraph wires were torn down for a quarter of a mile. Reinforced by another hand-car and ten more men, they swept on, to be tumbled in a ditch near Etowah by the torn-up track at a short curve. Here an engine was obtained belonging to Hon. Mark A. Cooper, and also a coal car. At Kingston the artful spies had made up a story about carrying ammunition to Beauregard, and duped the switch keys from the agent. Here the Rome engine was obtained and they dashed on twenty-five minutes behind the bridge burners.

Near Adairsville they came upon a torn track. Fuller and Murphy took it afoot and met the down train at Adairsville and turned its engine back, having to stop every short while to remove cross ties from the track. A mile and a half beyond Calhoun they came in sight of the flying fugitives, who dropped a car to stop the way. Near Resaca another car was detached. The indomitable Fuller switched these two cars on a sideling at Resaca and dashed on. The spies had loaded their remaining car with cross ties, and dumped them out at intervals to block the way. The trouble with the ready-witted fellows was that their steam was giving out. The oil-cans and everything else inflammable were hurled into the diminishing fire. In sight at Dalton and also at the Tunnel, they drove their engine to the last. At Dalton they piled up cross ties. At Ringgold the engine began to flag, and several miles beyond the race was over, though they venomously reversed their engine to collide with ours, and then they took to the woods. The pursuit through the country was as vigorously

pressed, mounted men having started out from Catoosa. Andrews when captured, offered $10,000 to be released. He had several thousand dollars on his person. The whole number of the spies, twenty-two, was caught and carried to Knoxville, where they were tried by a court martial convened by Gen. Ledbetter, commanding the post. Col. Leander W Crook was President of the Court Martial. The prisoners were defended by Hon. John Baxter and Judge Galt. The man Andrews proposed the scheme to Gen. Mitchell at Shelbyville, and was to be paid $60,000 in gold if successful. Seven men of the 2nd Ohio regiment volunteered, and fourteen of the 21st Ohio Regiment were detailed on this duty. Andrews and the seven volunteers, named Wm. Campbell, Geo. D. Wilson, M. A. Ross, P G. Shadrack, Samuel Slavens, S. Robinson, and John Scott were convicted, and hung near Atlanta. Andrews was executed in June, 1862, near Walton Spring, and the others south-east of the Atlanta cemetery. The 14 detailed men were not tried, and afterwards were regularly exchanged. The father of M. A. Ross, who lives in Christianburg, Ohio, came for his son's body after the war. Col. W J. Lawton was commanding the Post of Atlanta at the time, and O. Winningham was the officer of the day.

CHAPTER. XXVI.

A GLOOMY CHAPTER OF WAR'S RAVAGE.

Georgia had Done her Whole Duty.—Negroes for Coast Fortifications.—Gov. Brown's Strong Message on Conscription.—Sentiment Conflicting —Conscription Tested Judicially.—A Warm Time in the Legislature.—Linton Stephens' Great Speech.—Calumny by the Governor upon the Supreme Court Charged by Judge Cabaniss.—C. S. Senators Elected.—Called Session of the General Assembly.—The Stupendous Measure of the State assuming the Confederate War Debt.—Gov. Brown against it.—Appalling Figures of Indigence.—Desperate War Stress.—A Beautiful Incident of Gov. Brown.—He gives his surplus Corn to the Poor.—Large Loss of Georgians.—Gen. T. R. R. Cobb Killed —Gen. Lee's Exquisite and Touching Letter.—Ben. Hill the Prop of Davis' Administration —The Curious Interweaving of the Lives of Hill and Brown.—Gov. Brown's Rare Joke.—The Militia Officers put in the Ranks.—Tory Troubles

THE Legislature held its second annual session, beginning November 6th, 1862, under much brighter auspices than its session of 1861. The Confederate cause was in the ascendant. We had achieved some great victories in Virginia, Lee defeating McClellan, Pope and Burnside in swift succession. Stonewall Jackson had dazzled the continent by his marvelous triumphs. Shiloh in Tennessee and Elkhorn in Missouri had adorned Southern valor. Bragg had made his brilliant Kentucky incursion. Confederate prowess had been illustrated by success in grand battles against great odds. William L. Yancey, who had been sent as a Commissioner to Europe to induce intervention if possible, returned stating that the people of that continent were against us on account of slavery. This enunciation, publicly made, had satisfied the South that we must depend upon ourselves for independence. And the splendid successes of our arms had inspired us with buoyant confidence in our ability to triumph.

Georgia had done her whole duty. She had sent 75,000 men to the field. We had sixty-one infantry regiments, five cavalry regiments, sixteen infantry battalions, three cavalry battalions, two legions and four ranger battalions, besides scattering companies and large numbers of individual soldiers sent under the conscription act to fill up existing companies. Our cavalry regiments were:

1st Georgia Cavalry, Colonel J. J. Morrison.
2nd " " " W J. Lawton.

3d Georgia Cavalry, Colonel M. J. Crawford.
4th " " " I. W Avery.
5th Partisan Rangers, " S. J. Smith.

The cavalry battalions were commanded by Lieut. Colonel Charles Spalding, Major M. Cumming and Major D. L. Clinch. The Fourth Georgia Cavalry was organized under Confederate authority. The germ of it was the Georgia Mountain Dragoons, raised by Capt. I. W Avery, in Whitfield county. It was increased by Capt. Avery, first to the 23d Battalion of Georgia cavalry, and then to the 4th Georgia cavalry regiment. The Dragoons participated in the campaign of Gen. Albert Sidney Johnson, including the battle of Shiloh. Girardey's Georgia Battery also fought in that battle. The Dragoons were an independent scouting company connected with Gen. Hardee, and was once complimented by Gen. Beauregard, commanding the army, for penetrating the Federal army lines and bringing out important information at a critical time. The following infantry regiments we had in addition to those reported at the opening of the session last year:

26th Regiment, Colonel W H. Atkinson.
27th " " L. B. Smith.
28th " " T. J. Warthen.
29th " " W J. Young.
30th " " D. J. Bailey.
31st " " C. A. Evans.
32d " " Geo. P Harrison, Jr.
33d " " A. Littlefield.
34th " " J. A. W Johnson.
35th " " E. L. Thomas.
36th " " J. A. Glenn.
37th " " A. F. Rudler.
38th " " George W Lee.
39th " " J. J. McConnell.
40th " " Abda Johnson.
41st " " C. A. McDaniel.
42d " " R. Henderson.
43d " " Skid Harris.
44th " " R. A. Smith.
45th " " Thomas Hardeman.
46th " " P. H. Colquitt.
47th " " G. W M. Williams.
48th " " Wm. Gibson.

49th	Regiment,	Colonel	A. J. Lane.
50th	"	"	W R. Manning.
51st	"	"	W M. Slaughter.
52d	"	"	Wier Boyd.
53d	"	"	L. T. Doyal.
54th	"	"	C. H. Way.
55th	"	"	C. B. Harkie.
56th	"	"	E. P Watkins.
57th	"	"	W Barkaloo.
59th	"	"	Jack Brown.
60th	"	"	W H. Stiles.

While our Georgia coast was constantly threatened, the summer had witnessed comparative quiet on account of our warm climate. The fall brought more activity. The Brigadier General in command, H. W Mercer, had made strenuous efforts to get Savannah and other points properly entrenched and fortified. He had called upon the Confederate authorities for assistance, which was refused. He had then appealed to Gov. Brown, who issued a proclamation asking the planters to promise a portion of their slaves for such work. The response was meager. And when the legislature met the necessity for labor to complete the defenses of Savannah was reported to the body.

Gov. Brown's message gave to the General Assembly the military work of the year in Georgia. Of the five millions appropriation $2,081,004 had been expended: 8,000 state troops had been employed and supported for six months; the state's quota of Confederate war tax, $2,494,112.41, had been paid; a state armory had been established in the Penitentiary which was turning out 125 good arms a month; and arrangements had been made in Virginia for the manufacture of salt. The Governor recommended measures for the prevention of the distillation of grain; provision for soldiers' families; the seizure of factories and tanneries to furnish clothing for the soldiers; a tax upon cotton to prevent its production; the continuance of state military; and the appropriation of three millions for military purposes.

Governor Brown sent a special message to the General Assembly upon the subject of conscription. The Confederate Congress had passed an additional act, extending conscription to embrace all men between 35 and 45 years, and compelling them to enter old organizations until they were filled to a maximum number. Gov. Brown had immediately written to Mr. Davis that he should not permit enrollment under the new law the few weeks until the Legislature met and acted

on the subject, as it would practically disband his state militia, and urged Mr. Davis to call for the troops he wished as he was authorized to do under the old laws. His special message furnished to the Legislature a copy of his letter to Mr. Davis, and proceeded to discuss the whole subject in a lengthy paper of surpassing ability, presenting the issue whether Georgia, ready to furnish more than her quota of men and means, should submit to a method of enlistment that degraded her soldiers and violated the very state sovereignty for which the war was inaugurated. He covered the ground embraced in his correspondence with Mr. Davis, a summary of which has been given before in this volume.

This clear vigorous message created a profound sensation and a conflicting variety of comment. There was little difference of opinion upon the illegality of conscription. But there was a decided conflict upon the policy of insisting upon state rights and constitutional restrictions in the existing emergencies of the war. And there was also a fixed diversity of view upon the policy of conscription. Some of the ablest men in the State thought with Governor Brown, among them the Stephens brothers, Gen. Toombs, ex-Gov. Johnson and others. The Cobbs, Mr. Hill, and others were for sustaining conscription. A case was made before Judge Thomas and another before Judge Iverson L. Harris, to test the constitutionality of conscription. Judge Thomas decided it unconstitutional, and Judge Harris sustained its constitutionality. Both decisions were able and elaborate. The case decided by Judge Harris of Asa O. Jeffers conscript, *versus* John Fair, enrolling officer, was carried to the Supreme Court, and the decision of the constitutionality of conscription affirmed, Judge Jenkins delivering the opinion. The court held, however, that the officers of the State were not subject to conscription.

A warm discussion of the matter was precipitated in the General Assembly by a message from Gov. Brown on the 13th of November, 1862, communicating the fact that an incursion of Federal negro soldiers had been made in Camden county, and property destroyed and ladies insulted. Col. Henry Floyd, commanding the Camden militia, asked leave to call out the militia to defend the county. Doubting his authority under the Conscription Act, and its approval by the Georgia Supreme Court to call out the militia, Gov. Brown requested the legislature to give direction in the matter and instruct him whether as Governor he had the right to use the militia to defend our imperiled homes. He stated in this message that the decision of our Supreme

Court had been made under heavy outside pressure, and the counsel on both sides had agreed in their individual opinion that the decision should be made as it was made.

The Senate promptly passed a resolution authorizing the Governor to call out the militia. The resolution was immediately transmitted to the House and there occasioned an able and warm debate. Strange to say there was opposition to the resolution. Judge Cochran moved a substitute to inform the Secretary of War and ask help, and in the meantime to call out the militia. Judge Cabaniss moved the reference of the whole matter to the military committee, which was done. On the 14th the military committee reported, adopting the part of Judge Cochran's substitute that called on the Secretary of War, but instead of authorizing the call of the militia, in the meantime resolving to take immediate action upon bills then pending. The discussion that ensued upon this matter continued for days, and was marked by a good deal of bitterness.

Judge Linton Stephens made a speech of great power, taking strong ground against the Conscription Act. He showed that conscription had been put upon the country "from no necessity, from no conviction of necessities, but from premeditation and deliberation." This speech was, perhaps, the finest ever made by this sinewy debater, and made a profound impression. He defended Governor Brown from the charge made by Judge Cabaniss, that the Governor had uttered a calumny upon the supreme court, a charge showing the heat that was pervading the discussion. The interesting question was also sprung that the decision of the court was not binding upon the legislature, which was a coördinate power of the government. Mr. Norwood replied to Mr. Stephens with great vigor and ability. The debate went on for days. Some idea may be formed of the interest it excited and the intensity of feeling that existed from the fact, that at the election for Confederate States Senator on the 18th of November the issue was openly raised by Mr. Whittle as to the position of the candidates on the conscript law and the decision of the supreme court. This was after the first ballot, which had resulted in: H. V Johnson, 84 votes; James Jackson, 59; R. Toombs, 24; Howell Cobb, 6; T. R. R. Cobb, 12; Alfred Iverson, 3; A. H. Chappell, 1; Wm. Dougherty, 1; J. W Lewis, 7; J. E. Brown, 1; A. R. Wright, 1; H. V M. Miller, 2.

None of the gentlemen voted for had been put in nomination but H. V Johnson and James Jackson. When Mr. Whittle sprung the conscription issue, Mr. Vason remonstrated against such an issue. Mr.

Whittle said that he understood Gov. Johnson to believe the conscription act unconstitutional, but he would support the law and the administration. Judge Jackson and Mr. Cobb favored the law and sustained the administration. Mr. J. H. R. Washington and Mr. Candler both thought the discussion inappropriate, while Mr. Stephens protested against the proceeding as extraordinary and out of place, and calculated to convert the legislative hall into a hustings and to draw party lines. The second ballot gave the election of Herschell V Johnson, he receiving 111 votes; Jackson, 40; Dougherty, 24, and Toombs, 14.

The House appears never to have acted on the Camden county matter. The joint committee on the State of the Republic made majority and minority reports on the conscript law. The majority report was presented by Judge E. A. Cochran, chairman, and declared that the Confederate government could not raise armies by compulsion, only through requisitions on the states, leaving each state to exercise such compulsion as may be necessary in her own case and to appoint officers; and all laws of the Confederate Congress using direct compulsion without requisition and impairing the right of the states to choose officers were unconstitutional. The majority report, however, declared that Georgia would furnish her just quota of troops and leave the conscription acts undisturbed, reserving such rightful remedies as may be demanded by future emergencies.

Judge E. G. Cabaniss presented the minority report, signed by himself and J. A. L. Lee, S. L. Barber, W J. Reese, Z. B. Hargrove, Geo. S. Black, Peter E. Love, O. L. Smith, L. D. Carlton and Geo. T. Barnes. This report declared the Conscript Acts constitutional, recommended acquiescence in the decision of the Supreme Court, and that the Governor countermand all orders suspending the execution of the Conscript Act. These reports were discussed in both houses by the ablest men, and numerous substitutes were offered, but the legislature adjourned on the 13th of December, 1862, without taking any action, to convene on the 4th Wednesday in April. The General Assembly passed acts limiting the cultivation of cotton to three acres to a hand; appropriating $500,000 to supply the people with salt; $100,000 for cotton cards; $545,000 to obstruct our rivers; $400,000 for the Georgia Relief and Hospital Association; $1,500,000 for clothing for our soldiers; $2,500,000 for the support of the indigent widows and families of deceased or disabled soldiers; $1,000,000 for a military fund; $300,000 to remove indigent white non-combatants from any part of the State threatened with invasion. This aggregated over six millions appropriated for war

purposes. The Governor was authorized to raise two regiments for home defense, and to impress hands to perfect the defenses around Savannah. The General Assembly further passed a resolution that "Savannah should never be surrendered, but defended street by street and house by house, until if taken, the victors' spoils should be alone a heap of ashes."

Just before the adjournment of the legislature, Governor Brown sent in a message urging that some action be taken to secure to our volunteers the right which they were seeking to elect their own officers in vacancies occurring in regiments already in service. But nothing was done.

Gov. Brown convened the legislature by special proclamation, on the 25th of March, 1863. This was done to urge that the law be altered allowing the planters to cultivate three acres of cotton to the hand. The great question of the revolution was one of BREAD, and the farmers must produce bread and not cotton. In his message this matter and others were discussed. The project was mooted at that time of the states assuming the Confederate war debt, and several states, Alabama, Florida, Mississippi and South Carolina had agreed to do this. Governor Brown opposed the policy with wonderful acumen, taking ground for giving aid to the Confederate government by direct taxation. This measure occasioned a heavy struggle in the General Assembly. There were majority and minority reports and debates and substitutes innumerable, but finally a bill authorizing the guarantee of the bonds of the Confederate States on Georgia's proportionate share of $200,000,000 was defeated by four votes.

The fund of two and a half millions for the indigent families of soldiers was distributed between the two sessions, and the distribution reported at the March session. The figures are interesting and pathetically demonstrative of the devotion of our people to the cause and the ravages of that great war among our patriotic population. The vast total of the unfortunate beneficiaries of this generous fund was 84,119. Of this terrible number of war indigents, 45,718 were children, and 22,637 kins-women of poor living soldiers; 8,492 were orphans, and 4,003 widows of deceased and killed soldiers, and 550 were helpless soldiers, disabled in service. These are appalling figures for less than two years' warfare for a single state of the Union, and they testify with overwhelming emphasis to the awful magnitude and destructiveness of the struggle. No words can bear such impressive witness to the deadly drift and extent of that revolution as these simple statistics.

The plain, unvarnished truth is that the pressure of that day was something desperate. Georgia had three-fourths of her voting population fighting in other States, who were clamoring for proper clothing and food. Her own borders were threatened by a merciless enemy. And poverty and destitution were raging among her people. The orders and appeals with which the papers were filled, will afford some conception of the stress. There were calls for troops, orders for deserters, appeals upon appeals for clothing and shoes, proclamations doling out salt by the half bushel, savage prohibitions of whiskey distillation, impressments of negroes for fortifications, begging for hospital funds, lists of dead and wounded and diseased soldiers. It was a dolorous and incessant activity. Every heart and every hand were busily at work, thinking, toiling, straining in the single, overshadowing cause of brutal war.

Gov. Brown devoted himself with an herculean and grandly self-abnegating zeal to the war. A beautiful incident is related of him, that touches even at this long day, from its occurrence. He went up to his farm in Cherokee for a day, in March, 1863. A gentleman on official business followed him. As he neared the farm, the gentleman overtook a large number of wagons and carts, and foot passengers, going the same way as himself. When he arrived at his destination he found a host of other vehicles and people, and Gov. Brown in person, engaged at his corn crib in the gratuitous distribution of some four thousand dollars' worth of corn and shucks to the poor people of the county in proportion to the size of their families and their wants. These people receiving his generous bounty were the families of the soldiers from Cherokee county, and he was giving to them every bushel of his surplus corn. Said the narrator of this incident:

"The sight was a most grateful one to our traveler, who came back to Atlanta, impressed with the double conviction of Gov. Brown being not only a good Governor, but a good man. The grateful tears which he saw in the eyes of the good women of Cherokee who were being made the recipients of Gov. Brown's patriotic liberality, made an impression upon him which he says will be lasting, and which has taught him not to be chary in his charities in the future."

It is little to be wondered at that Gov. Brown had gained such a hold upon the masses of the people in that dreadful time. He not only drove straight to practical success in every measure he urged or attempted, but he gave practical daily evidence of his sympathy with the wants and sufferings of the unfortunate. He showed the most subtle perception of the popular wishes, and at the same time he boldly

ignored the trammels and circumlocution of official red tape. Every controversy he had with any authority or power but strengthened him with the masses, and was a battle in their interest. In the Camden county matter, he was protecting the coast, and the delay and opposition of the General Assembly but magnified his own daring and eager readiness to go to the aid of the alarmed. His fight against conscription was for the two-fold purpose of vindicating the cherished sovereignty of the State, and assuring to our volunteers a recognition of their rights and manhood. Add to all this, unquestioned championship of the people's wishes and interests, his boldness and common-sense genius, and then cap the whole with his unsolicited devotion of his means to a generous charity, and it would have been a marvel if he had not clutched the public heart with a resistless grasp.

During the year 1862, the Georgia troops suffered very much. Generals Toombs, Lawton, and Ranse Wright were all wounded, and Col. C. A. McDaniel of the 41st Georgia, and Gen. T. R. R. Cobb were killed. The death of Gen. Cobb was the occasion of the following beautiful and feeling letter from Gen. Lee.

"CAMP NEAR FREDERICKSBURG,
Dec. 18, 1862.

"Gen. Howell Cobb. General, I beg leave to express my deep sympathy in your great sorrow. Your noble and gallant brother has met a soldier's death, and God grant that this army and our country may never be called upon to mourn so great a sacrifice.

"Of his merits, his lofty intellect, his accomplishments, his professional fame, and above all his Christian character, I need not speak to you who knew him so intimately and well. But as a patriot and soldier death has left a deep gap in the army, which his military aptitude and skill render it hard to fill. In the battle of Fredericksburg he won an immortal fame for himself and his brigade. Hour after hour he held his position in front of our batteries, while division after division of the enemy was hurled against him. He announced the determination of himself and his men never to leave their post until the enemy was beaten, and with unshaken courage and fortitude he kept his promise.

"May God give consolation to his afflicted family, and may the name and fame of the Christian statesman and soldier be cherished as a bright example and holy remembrance.

"With great esteem, your obt. svt.,

"R. E. LEE."

Such a letter as this from the moderate and pure-souled Lee, using words so strong, is a crown of honor worthy of all esteem. Considering the source and the terms it is as high a panegyric as any man ever won. Less for its beauty, great as that is, than its inspiration and truth, should it be valued. The two men, Bartow and Cobb, were a glorious brace of martyrs that Georgia gave to the cause of Southern

B. H. Hill

liberty, and it was an ominous incident that these two men, who thus grandly yet uselessly perished, were the two most representative champions and zealous enthusiasts in the Disunion movement. Purer men never gave up life in any cause.

It was at this time that Hon. Benjamin H. Hill became prominent as the congressional prop of the Confederate administration. And from this time on no man in the Confederate Congress was more potential with that administration. Georgia, in Mr. Hill, resumed her influence in the direction of the revolution. Closely linked to Mr. Davis in sympathy, a constant and devoted personal friend and official adviser, entrusted with frequent and important missions of delicacy, a brilliant and earnest defender and exponent of the Confederate policy, through the remaining two lurid years of the struggle, Mr. Hill and Mr. Davis stood in a warm coöperation with each other. Georgia could not evade her inevitable destiny of leadership in this war. Mr. Hill came to Georgia and made to the Legislature a magnificent speech in favor of conscription, and in it he handled Gov. Brown with the gloves off.

It has been curious how interwoven have been the political careers of Governor Brown and Mr. Hill, sometimes antagonistically, and then in a remarkable harmony. When Gov. Brown first ran for Governor it was Mr. Hill whose glittering oratory, his homely but magnetic common sense vanquished. It was Mr. Hill's burning utterances that vitalized the next campaign of Governor Brown, though he was not the figurehead as before. In Reconstruction days Brown and Hill locked shields in a famous encounter of brains. And to-day, in warm accord, they focalize the celebrity due to two masterful senators of the United States, splendid complements to each other's rare and most different endowments. In that day of conscription, Hill, representing the Davis policy, came at Brown with hard blows. Brown struck back as he always strikes, with vigor. And he rather obtained the advantage of Mr. Hill, who made the mistake of giving his argument a personal direction. The flaw in Mr. Hill's logic was that he voted against the conscription in Congress, which he was so ably advocating, and Gov. Brown used it unsparingly. No man ever had a keener perception of the weak places in the armor of his foemen than Gov. Brown, nor drove the hammer upon the flaws more mercilessly.

The adjournment of the legislature without any action upon conscription left Gov. Brown uninstructed. He had refused to let his militia officers be enrolled as conscripts, the Supreme Court having held that they were not subject, and the clamor was very boisterous

The opposition press rang with abuse of his favoritism to his pets. He took the storm of abuse with his wonted coolness, and soon gave his abusers a dose of practical punishment that created a lively clatter. Gen. Beauregard was commanding the Southern coast. Savannah was threatened in February, and Gov. Brown was called on for help. It was a rare inspiration, blending a grim patriotism with a certain rich-flavored humor, that led the Governor to order his whole legion of militia officers, from the Generals down to the humblest company rank, into service at Savannah. The order was perfect in its lively details. It transformed Major Generals into Captains of companies, turned Brigadiers into Lieutenants and Captains and Lieutenants into privates. If any officers refused to go, their exemption from conscription was incontinently withdrawn. This novel order commanded *immediate service*, and it concluded with these inimitable words:

"The high character, intelligence and military training of the persons of whom this force will be composed, justifies the expectation entertained by the Commander-in-Chief, that they will not only render the State the most effective service in this hour of trial, but that they will display an intrepidity of valor upon the battle field, which will make them invincible, and will satisfy all that injustice has been done the militia officers of Georgia by those who have doubted their willingness to sacrifice their lives, if need be, in the defense of their State."

This order created a wonderful sensation in the State. Even the opposition press gave in to its felicity and relished and approved it. A grin, so to speak, spread over the State, that added a tinge of relief to the impending horrors of invasion and the darkness of a really grave situation. The papers commented upon it spicily, and Governor Brown with a stern complacency surveyed the conclusive effect of his happy order. Men that had reviled him for shielding favorites from conscription, frankly owned that they were mistaken, and that he had shown that he was actuated by an honest desire to maintain the constitutional rights of the State. The Macon *Telegraph*, a persistent opposer of Gov. Brown, declared that it was a good conception of his, that it would give new vigor to the volunteer movement, and that the example of officers shouldering their guns and taking place in the ranks as privates, would stimulate the spirit of self-sacrifice in all classes. And Mr. Clisby, the editor of that paper, with a fine humor that belonged to him, gave a vivid account of the effect of the order upon the astounded militia officers. The Confederate authorities had conceded to Gov. Brown the exemption of these militia officers from conscription, and they were taken aback at this reduction in rank and

summary injection into service. They obeyed promptly, however, and reported in Savannah, but the emergency passed and they were sent back home subject to recall if required.

At this time also began trouble in the north-eastern counties of the State, Rabun, Union, Gilmer and adjoining counties, that continued more or less to the end of the war. At the beginning there was some Union feeling in that section that threatened formidable resistance to secession, and which as we have shown, was quieted by Governor Brown's admirable tact. That section in the latter part of 1862 and the first part of 1863 became the refuge of a band of deserters and Union sympathizers, who organized a rebellion on their own account against Confederate authority and the peace of the State. They plundered about generally. Gov. Brown issued his proclamation outlawing these men, and sent Maj. Galt and Maj. Wynn, commanding detachments of reserve infantry and cavalry, to break up the mischief. These officers seized some 50 of the ring leaders, headed by a deserter named Jeff Anderson, returned some 200 men directly to their commands, and hustled out fully 2,000 absentees.

The year 1863 ended with one dollar of gold being equal to three and four of Confederate money. Our Confederate currency was rapidly depreciating, and patriotic men in vain resisted it. For instance, a public meeting was held in Macon, presided over by that noble gentleman and distinguished ex-Judge, Thaddeus G. Holt, to devise means to strengthen the money of the new nation. Provisions and clothing had nearly quadrupled in value. One of the greatest obstacles that the South had to contend against in the war was the speculation that was constantly made in the staples of life. The General Assembly of Georgia constantly fought against it. In nothing did Gov. Brown more signalize himself than in his unsparing warfare against the speculators and extortioners. He stopped at nothing to thwart their infamous schemes and disappoint their subtle calculations. He seized their hoards without mercy, and struck down their nefarious projects.

CHAPTER XXVII.

THE INCREASING WAR FEVER OF 1863.

The Average of 1863 against the South.—Gov. Brown Wished to Retire.—His Conscription for Governor Irresistible.—The Augusta Constitutionalist Leads Off.—An Urgent Letter from some Augusta Gentleman calls Gov. Brown Out.—Brown's Letter.—Joshua Hill and Timothy Furlow against Brown.—A Triangular Fight.—Foreign Comment.—"Model War Governor."—Brown Elected the Fourth Time.—Confederate Congressmen.—The Legislature of 1863-4.—Its Personelle.—Gov. Brown's Clarion Inaugural.—His Message.—Military Changes.—John B. Gordon Rising into Fame.—Gen. Toombs.—Longstreet's View of Toombs.—Gov. Brown and Hon. James Seddon.—Gov. Brown's Second Memorable Controversy.—Gov. Brown and Mr. A. Fullarton, the British Consul.—A Spicy Correspondence.—Gov. Brown's Interest in the Soldiers.—His Part in the Missionary Mass Meeting and Baptist Convention.—Forest's Capture of Speight.—The Repulse by Fort McAllister.

THE year 1863 was one of increasing war-strain in Georgia. It was marked by an heroic monotony of sacrifices and service. At short intervals came demands for troops, to which our unconquerable men responded with a gladsome readiness and in every case far beyond the call. The Federal Government bent to the conflict with the energy of a giant. Congress voted Lincoln five hundred millions of money, and three millions of soldiers to whip the fight. On the first of January Lincoln issued his famous Emancipation Proclamation. The South met the colossal storm unquailingly. The year went on in blended victory and disaster, but the average was against us. We lost Tennessee, that luxuriant land of milk and honey, the bounteous paradise of the soldiers' campaigning. Vicksburg fell, and the Confederacy at one stroke was riven into two fragments, split and cleft hopelessly asunder. The battle of Gettysburg was fought and lost, grandest fight and most disastrous defeat of the war, and deadly ending of the only formidable invasion of northern territory made by the South. Stonewall Jackson, that wonderful warrior, was fatally wounded by our own men and lost to the Confederacy. We won the battle of Chickamauga, fateful RIVER OF DEATH, but failing to follow it up, a terribly punished foe rallied and gathered his forces, and the cruel blistering, inexcusable defeat of Missionary Ridge by Gen. Grant, closed the year with our Western

army shattered and demoralized at Dalton, and the besom of devastation hovering at Chattanooga upon our own beloved State.

Our regular biennial election came on this year of 1863. The pressure upon Governor Brown had been superhuman. He had been very ill once or twice during his term. It was his wish to retire from the gubernatorial chair. But again the people, with a spontaneous and deep-voiced earnestness, called upon him to serve for a fourth term. It was a grand tribute to the man and the officer, to the individual, the patriot and the Governor. Despite his innumerable conflicts, that bred antagonisms against him hot and fierce, and many of them implacable, the masses of the people clamored for him to continue in his great trust. Letters from all parts of the state poured upon him, beseeching him to remain. Journals that had opposed him insisted upon his re-election. Distinguished officers of the army wrote to him to consent to serve. The movement for his re-election appears to have been started by that powerful paper, the Augusta *Constitutionalist*, which had been almost uniformly opposed to him. This journal, early in the year, came out in a strong editorial and candidly admitted that in a

"Great crisis, a time of much peril and excitement, with new revolutionary phases continually presenting themselves, he has administered affairs with singular wisdom, justice and success, has maintained the character, credit, rights and honor of Georgia and her people, and aided largely to bring the great struggle in which we are engaged to a successful and triumphant issue."

On the 16th day of May, 1863, Messrs. George Schley, B. H. Warren, James Gardner and Robt. H. May of Augusta, addressed a letter to Gov. Brown asking him to allow his name to be used. They stated that they had differed with him on many points of public policy, but appreciating his honesty of purpose, his adherence to the welfare and character of Georgia, and his devotion to the interest and comfort of our soldiers, as lovers of our country, they believed they could best promote her cause by merging all past differences in Gov. Brown's re-election. Gov. Brown replied on the 21st of May that he would serve if elected. He said that he had desired the position in time of peace. He had been gratified. He could not now decline its responsibilities in time of trouble. He alluded to the main ground of objection that had been urged against him, that he had opposed the Confederate administration on its conscription policy. He had done it conscientiously, under an honest difference of opinion. He frowned upon any attempt to build up an opposition party to the Confederate administration. He also opposed any reconstruction of the old Union.

There is some interesting secret history connected with Gov. Brown's fourth candidacy for Governor, that has never been in print. The facts were furnished by Col. P Thweatt. Gov. Brown had decided not to run, and called a meeting of a large number of his friends at the executive mansion to whom he announced his purpose. Gov. Brown wished Gen. Toombs to be Governor, and induced Col. Thweatt and other friends to canvass his chances, and after a careful scrutiny it was believed that Mr. Toombs' trouble with Mr. Davis would prevent his election. Gov. Brown was very warmly attached to Gen. Toombs, and earnestly desired his election, and reluctantly gave up the idea of his candidacy. At the meeting of friends, among whom were Col. Thweatt, Mr. Seward of Thomas, Mr. Gordon of Chatham, I. R. Foster of Cherokee and Gen. Wayne, Gov. Brown announced his resolution not to run, and asked them to look about for some one else. It was moved to appoint a committee, and an additional motion was made that Col. Thweatt be added to it. Col. Thweatt declined to take any part in the matter, expressing the opinion, that none of the gentlemen proposed could be elected, and urging Gov. Brown, if he wished to take care of and sustain his friends, to withdraw his determination and let his friends run him again. This stopped further action. And Gov. Brown, under the strong pressure, yielded his inclinations and ran the fourth time. Col. Thweatt says, that until Gen. Toombs assailed Gov Brown in 1868 he never had a warmer or more devoted friend than Gov. Brown.

This acceptance placed Gov. Brown before the people again. The opposition sought to get out a number of gentlemen. Gen. Gartrell, Gen. Colquitt, Judge Cabiniss and Judge Jenkins were all pressed to run, but declined. Finally the Atlanta *Gazette* put out the name of Hon. Joshua Hill, and stated authoritatively that he would serve if elected, but that he would not send forth nor deliver any address. The Rome *Southerner* hoisted Mr. Hill's name. The Atlanta *Gazette* ominously expired before the election. A pretty heavy fusillade was made against Mr. Hill, that he was in favor of a reconstruction of the Union. Messrs. George W Adair, Jno. J. Thrasher and James W. Calhoun of Atlanta, addressed him a letter about this charge, to which he replied denying it, but making no announcement of policy.

The Milledgeville *Recorder* put out the name of the Hon. Timothy Furlow, and that gentleman accepted in a letter declaring vigorously for the support of Mr. Davis and his administration. Thus stood the triangular contest. It was inspired by a shrewd policy. Mr. Hill was the representative of the conservative element and the rallying point for

a decided and growing Union fragment in North Georgia. Mr. Furlow was a secessionist and an ardent war man, and was expected to divide Brown's support. It was hoped by the opposition that in the split of elements the election would be thrown into the legislature, as it was not believed Gov. Brown could get a majority over both of his competitors. Mr. Furlow was a wealthy, liberal gentleman, devoted to the Southern cause and very popular. The campaign was only tolerably lively. People were too much absorbed in war to take much interest in politics. The enemy was at the door. The field of conflict was on the point of transfer to Georgia soil. Civil matters were at a discount in the turbulence of strife. The jingle of the sabre and the tread of armed men silenced the ordinary tumult of political agitation. A sort of mild campaigning was done, but it made little noise. The dread work of revolution was running its bloody course, and men felt little inclination to vex themselves over civil place. Gov. Brown left his canvass to take care of itself, and busied himself with preparation for the storm gathering against Georgia.

How he was impressing impartial minds can be understood from the following opinion of the Mobile *Register:*

"Whatever the Georgians may think of their Governor he is immensely popular away from home. In his own State he appears to have bitter enemies, and this is evidence to our mind that he is a man of grit and not of straw. We look upon Mr. Brown as a model War-Governor—a veritable Stonewall Jackson among State Executives. For our part we render our sincere thanks to Governor Brown, and we believe his course meets the general and fullest approbation of the country."

The New York *Herald* watched the contest closely and predicted Mr. Hill's election. But the ballots told a different tale. There were 64,804 votes polled, only half a vote, showing the abstraction of the public mind from politics by the war. Governor Brown received 36,558, Joshua Hill 18,222, and Timothy Furlow 10,024. Gov. Brown had 18,336 majority over Hill and 26,534 over Furlow, and he beat both 8,312. The army vote from seventy-three regiments was 15,223, of which Brown received 10,012, Hill 3,324, and Furlow 1,887; Brown's army majority over Hill was 6,688, and over Furlow 8,125, and over both 5,801. These figures show how Gov. Brown stood with the fighting men of the State, and how fully and emphatically the soldiers endorsed him. The vote also shows the terrible decimation our Georgia regiments had undergone in the service, testifying eloquently to their manhood.

The following gentlemen were elected to the Confederate Congress: First district, Julian Hartridge; second district, W. E. Smith; third

district, M. H. Blanford; fourth district, Clifford Anderson; fifth district, J. T. Shewmake; sixth district, H. Echols; seventh district, James M. Smith; eighth district, George N. Lester; ninth district, H. P. Bell; tenth district, Warren Akin.

Of these, Wm. E. Smith, H. P Bell and Julian Hartridge have been United States Congressmen since the war, James M. Smith, Governor of Georgia, and Clifford Anderson is at present Attorney General.

In the Legislature there were some very able men. Among the Senators were Thos. E. Lloyd, the great civil lawyer of Savannah; T. L. Guerry; Phil Cook, since a Congressman; J. H. Pate, now a Judge of the Superior Court; Gen. A. R. Wright, the brilliant Ranse, a Congressman subsequently; E. H. Pottle, now a Judge; Alex. M. Speer, now a Justice of the Supreme Court; and C. D. McCutchen, recently a Judge of the Superior Court. Among the leading Representatives were Gen. W S. Holt and Thomas Hardeman of Macon, the latter an ex-Congressman; J. B. Jones, ex-member of Congress; L. N. Trammell, President of the Senate since for two terms; Philip M. Russell of Savannah; W F. Wright; R. Hester; Morgan Rawls, a Congressman after the war; M. Dwinell, a prominent journalist; Gen. R. W Carswell, now a Judge; Jas. M. Russell; J. R. Stewart, now a Judge; Thos. G. Lawson, now a Judge; and B. H. Bigham.

The Hon. Thomas Hardeman was elected Speaker of the House, and Hon. A. R. Wright President of the Senate. The fourth inaugural address of Governor Brown was a remarkably ringing document, that seemed to have caught the clang of steel from the spirit of the great conflict. It had a single idea in it, put with singular eloquence. It simply sounded in a clarion voice the manly duty of the hour. Scanning the vast struggle, it sped to the State one throbbing idea that we were in to the death, and must unite and achieve freedom.

The annual message of Governor Brown to this legislature, of November 1863, was one of the best papers of his executive career. It put the situation clearly and concisely before the people. It urged some very decisive measures, the repeal of the substitute law, authority to civil officers to arrest absentees from the army and the increase of the pay of soldiers. He argued that our soldiers should be clothed and their families fed by the State whenever it was necessary to any amount. The improper impressment of private property, the right of the State troops to elect their own officers he warmly advocated.

The Legislature adjourned December 14, 1863. It appropriated $500,000 to the "Georgia Relief and Hospital Association;" $2,500,000

for soldiers' clothing; $6,000,000 for indigent families of soldiers; $500,000 for salt; $3,000,000 for a military fund; $750,000 for a blockade steamer. The enrollment of all militia between 16 and 60 years was authorized, and the Governor empowered to call them out if necessary. Resolutions were passed re-affirming the resolutions of the General Assembly of 1861, pledging the state to the fight until peace was established upon the basis of Southern independence. A resolution was also passed accepting battle flags of the 4th, 14th, 20th and 26th Georgia regiments and the 12th Georgia battalion, and several Federal flags captured by the 4th Georgia and Dole's brigade.

During the year 1863 many interesting military matters transpired in Georgia and in connection with Georgia troops. The two regiments of Georgia state troops were organized by the election of E. M. Galt Colonel of the 1st regiment, and R. L. Storey Colonel of the 2d. The following infantry regiments also had been organized for Confederate service:

60th Georgia, Colonel Wm. H. Stiles.
61st " " John H. Lamar.
62d " " J. R. Griffin.
63d " " George A. Gordon.
64th " " Jno. W Evans.
65th " " Jno. S. Fain.

Some light infantry battalions had also been formed. Also the following cavalry regiments:

5th Georgia Cavalry, Colonel R. H. Anderson.
6th " " John R. Hart.
7th " " E. C. Anderson, Jr.
8th " " J. L. McAllister.
9th " " J. Taliaferro.

Also a second 4th Georgia cavalry under Col. Duncan L. Clinch.

Mr. Davis had made requisition for 8,000 home guards. Governor Brown called for these troops, and 18,000 offered, demonstrating the ready gallantry of our Georgians and the correctness of Gov. Brown's position that the conscript law was unnecessary in Georgia to raise soldiers. Mr. Davis would not permit the selection by these commands of their brigade and division officers. Gen. Howell Cobb was made Major General and assigned to the charge in Georgia. He assumed command September 14, 1863. Gen. Alfred Iverson, Jr., and Gen. Henry Jackson were reported Brigadiers under him, the former at Rome and the latter at Savannah. Gen. Gustavus W Smith, who had resigned

from the Confederate army, was employed by Gov. Brown in aid of the fortification of the state. Col. R. A. Smith of the 44th Georgia, Lt. Col. J. C. Mounger of the 9th Georgia, and Lt. Col. W T. Harris of the 2d Georgia, were killed. A very sad loss to the state was Col. Peyton H. Colquitt of the 46th Georgia at Chickamauga, one of the most brilliant young men in the commonwealth. Col. Wm. Gibson of the 48th was badly wounded. It was in April, 1863, that a Georgia gentleman was made Brigadier General, who became the most famous and brilliant soldier the state had in the war, Gen. John B. Gordon.

It was early in this year that Gen. Toombs resigned. Of this versatile genius Gen. Longstreet, who arrested him once, said that if he had been educated at a military school in subordination, he would have been as illustrious and successful as a soldier as he was as a statesman, so great were his natural military abilities. And a curious incident is told which is vouched for by Col. Raphael J. Moses, who was serving under him, that at one period Gen. Toombs was desired at the same time by Gen. Lee and President Davis, one desiring to consult him on a war point, and the other on a matter of civil administration, both important affairs, and he had to hurry from Richmond to the front the same day to fill both momentous advisory rôles. Yet his ungovernable spirit of intractable insubordination to any authority kept him in hot altercation with his superiors, and resulted in such bitter feeling that he resigned his coveted stars. His farewell to his brigade was a model of eloquent pathos and incisive soldierly ardor. He came home, refused to run for Congress, and started to raise a regiment for the home service.

During this year, 1863, Gov. Brown had several of his memorable controversies that gave him so much celebrity in the Confederacy.

In May, 1863, a correspondence occurred between Gov. Brown and Hon. James A. Seddon, Secretary of War, in regard to the right of the Fifty-first regiment of Georgia Volunteers to fill by election, the colonelcy made vacant by the killing of Colonel Slaughter at Chancellorsville. This regiment was one of twelve organized regiments turned over to the President in February, 1862, under requisition of Mr. Davis, and declared by Mr. Benjamin, Secretary of War in 1862, to be entitled to elect their own officers and have them commissioned by the Governor of Georgia. Gov. Brown claimed, apart from this pledge, that this regiment came under the clause of the Constitution reserving to the States the appointment of the officers. Mr. Seddon claimed that under the conscription law the President was authorized to appoint the officers. Gov. Brown argued that the conscription law was in conflict

with the Constitution, and the Constitution must govern. Gov. Brown plead that the principle had been decided on this very question, raised in Col. Benning's regiment of Gen. Toombs' brigade, in favor of the right of the State to commission. Mr. Seddon refused to yield. Gov. Brown concluded his final letter with this thrust:

"The President has the power in his own hands, and I am obliged for the present reluctantly to acquiesce in what I consider a great wrong to thousands of gallant Georgia troops and a palpable infringement of the rights and sovereignty of the State. I will only add that this letter is intended more as a protest against your decision than as an effort to protract a discussion which it seems can be productive of no practical results."

There was probably no matter of higher value to our spirited volunteers than this very privilege of selecting their officers, and the Confederate authorities made a great mistake in their policy on this point. While it was true, as a general principle, that the ordinary war rules were founded in a long experience as to regular and professional soldiers, our voluntary citizens' army was an organization of patriotic gentlemen, inspired by love of country and a blended sentiment of duty and honor. Mr. Davis and Gen. Bragg, both of them, failed to comprehend the difference. Some of our most skillful fighters and best strategists were civilians who had not enjoyed military education. The great bulk of our officers were men untrained in war. Gen. Sidney Johnson and Gen. Lee both appreciated the régime best for the volunteer. The Legislature endorsed Gov. Brown's views on this subject of election of officers, and passed a resolution urging them on the Confederate Congress.

A very spicy correspondence is that between Gov. Brown and Mr. A. Fullarton, British consul at Savannah. This was in July, 1863, when Gov. Brown ordered a draft of eight thousand men for home defense from persons between eighteen and forty-five years, including British subjects. Mr. Fullarton protested against such service, stating that for maintaining internal peace and order, British subjects were liable to duty, but not for fighting the United States troops. He claimed that the United States was not a foreign power in relation to Georgia. Gov. Brown replied, refusing to exempt British subjects from such duty or modify his order. The United States was a foreign nation at war with Georgia. If the British subjects did not wish to incur the burdens of living in Georgia they could leave. Mr. Fullarton replied that while advising British subjects to do police or patrol duty, he counseled them if they were required to leave their homes or meet the United States forces in actual conflict, to throw down their arms and refuse to render

the service, which violated their neutrality. He claimed that Gov. Brown's course was in contrast with the practice of the United States Government and other Southern Governors. Gov Brown replied that while Her Majesty's subjects lived in Georgia they must perform the duties imposed upon them by the law of nations. The Governor put in a home stroke by saying that if Fullarton really thought the United States was not a foreign power hostile to Georgia, he should have appealed for protection to British subjects resident in this State, to the government in Washington, and not to the Governor of Georgia. He added that if Her Majesty's subjects should act on Mr. Fullarton's advice and throw down their arms on the approach of danger, and thus be guilty of the unnatural and unmanly conduct of refusing to defend their domiciles, they would be promptly dealt with as citizens of this State would be committing such dishonorable delinquency. As to the United States exempting British subjects, as it had by the use of money drawn large numbers of recruits from the dominions of Her Majesty, in violation of the laws of the realm, it may well afford to affect a pretended liberality which costs it neither sacrifice nor inconvenience. Mr. Fullarton gave up the contest, and there is no report of any hardship being suffered.

In all subjects pertaining to the welfare of the soldiers, Gov. Brown not only took a deep interest, but did an active part. A Missionary mass meeting was held in Griffin, April 26, 1863, Rev. Dr. Mell presiding, the object of which was christian ministrations among our soldiers in the field. Gov. Brown attended and made an earnest speech for this noble cause, and gave a handsome donation to army colportage for the dissemination of religious reading among the troops. In the Baptist Biennial Convention at Augusta, May 11, 1863, resolutions of Dr. Broadus were reported, rendering hearty support to the Confederate government and paying tribute to Stonewall Jackson. Rev. Dr. Boyce, of South Carolina, opposed these resolutions as covering political ground. Gov. Brown made a speech of great power and fervor in support of them, and they were unanimously passed. In September, 1863, a dinner was given by the Atlanta ladies to the paroled Vicksburg prisoners. Gov. Brown was the orator of the occasion, and made a most effective and patriotic speech.

There are some remarkable statistics for this year. Confederate money fell in value until from 4 to 1 in 1862, it became 21 to 1 in gold in 1863. The property of the state swelled in figures, from $578,352,-262, in 1862, to $991,596,583, in 1863. Polls decreased in number from

91,562 to 60,168. The State road paid in to the treasury, $1,650,000. The public debt had grown to $14,149,410. The Bank capital of the State had enhanced to $70,713,048. An income tax had been imposed which showed $15,737,479 of profits on business in the state, yielding a tax of $683,235. But the most striking and honorable statistical fact—placing Georgia in a position of unequaled distinction for the patriotism and valor of its people, and its guiding agency in the war, was her greater loss of soldiers than any other Southern State. The Second Auditor at Richmond, published the following statement of soldiers' deaths to December 31, 1863: Georgia, 9,504; Alabama, 8,987; North Carolina, 8,261; Texas, 6,377; Virginia, 5,943; Mississippi, 5,367; South Carolina, 4,511; Louisiana, 3,039; Tennessee, 2,849; Arkansas, 1,948; Florida, 1,119.

It was during this year that two small but most conspicuously brilliant military exploits took place on Georgia soil, the fame of which a just and appreciative history will not permit to die. The raid of Streight the Federal cavalryman into Georgia, with a splendid band of 1,800 daring and thoroughly equipped troopers was thwarted, and the whole command captured at Rome by the unparalleled Forrest with but 600 men. Following them night and day, assaulting them at every stand, he finally compelled a surrender at the very threshold of the picturesque little mountain city, and saved the state some dreadful devastation.

The other equally historic and glorious incident was the repulse of a fleet of seven Federal monitors and gunships by the intrepid little garrison of Fort McAllister, at the mouth of the Ogeechee river on the Georgia coast, in March, 1863, under command of Capt. Geo. W Anderson. Major John B. Gallie, the commandant, was killed at the beginning of the engagement. This was the seventh attempt that had been made to take this Fort, a simple earthwork with sand parapets, all of which had failed. This was the last and crowning effort. The garrison resisted an eight hours' desperate bombardment with guns, throwing as large as 15-inch shot and shell, and finally drove off the attacking expedition crippled and whipped. The papers rang with the splendid achievement, and the General commanding complimented it in a general order, directing the garrison to inscribe on their flags, " Fort McAllister, March 3rd, 1863."

The history of war may be searched in vain to find two more heroic and dauntless achievements than these matchless instances of skill and valor. They were unsurpassable exhibitions of chivalric courage and sublime patriotism.

CHAPTER XXVIII.

THE FIRST HALF OF THE MOST THRILLING YEAR OF GEORGIA ANNALS, 1864.

Georgia becomes the Crucial Battle Ground of the War.—Virginia and Georgia.—Georgia the Hope of the Confederacy.—Gov. Brown Convenes the Legislature.—His Great Message.—A Document that Vivified the Confederacy.—Extraordinary Press Comment.—The Focal Southern Governor.—It Evokes, also, Savage Censure.—Linton Stephens' Resolutions and Memorable Speech on Gov. Brown's Line.—Gov. Brown Endorsed.—The Repeal of the Habeas Corpus Suspension Recommended.—Alec Stephens' Strong Speech.—Protest against the Resolutions.—Linton Stephens' Famous Adjustment Resolutions.—Gov. Brown's Fixedness.—Special Message that the Legislature must act or he would Re-convene it Immediately.—The Grapple of Joe Johnston and Sherman.—Resaca.—Tanners Ferry.—The Anguish of Leaving Homes to the Enemy.—Cassville.—New Hope Church.—The Dead Lock.—Kennesaw and its Twenty-three Savage Days of Fight.—Over the Chattahoochee.—Joe Johnston Removed, and the End Begun.—The Protest against Removal.—Davis' Misgivings.—The Anomaly of Johnston's Career.—Georgia Adhering to her Fate of Supreme Agency in the War.

THE year 1864 was a vivid and memorable one in Georgia annals, the most dramatic, thrilling and eventful in her century and a half of august history. From the first to the last week of this fateful twelve months there was a continued succession of throbbing and vital incidents that involved the fate of the Confederacy and the destiny of the continent. The State became the crucial point of the war, the decisive battle ground of the conflict, in strange pursuance of that mysterious fortune that seemed to make her the foremost instrumentality of the revolution. Both in civil and soldierly matters she was the scene, during this salient year, of controlling occurrences that shaped and settled the struggle. With the result of events in Georgia in 1864 the war was practically ended. The conclusion was clearly in sight from the smitten and smouldering wreck of our noble State—ravaged, battle-charred and desolated out of recognition. The bloody swath through this State of four hundred miles, from the Tennessee line to the ocean border, quartering the Confederacy, and destroying the Confederate base of supplies, left the Southern cause crushed, quivering and doomed. The Georgia campaign made the Virginia campaign simply a question of time, after which the end was at hand, close, final, deadly.

The difference between Virginia and Georgia, in their relative situations and importance in the anatomy of the revolution, was very striking. Virginia was a gate-way on the border. Georgia was the very vitals of the Confederacy. When Vicksburg fell it was a gloomy halving of the young republic of the South. Georgia became the heart of the cause. This State was the main source of grain supplies. It was also the chief manufactory of military stores, Atlanta being the grand center of production and distribution. Back in the supposed interior point of safety, the thousands of Federal prisoners in our hands, held under a Federal policy of non-exchange, were huddled at the famous Andersonville stockades in South-Western Georgia. But the living, dominant spark of Confederate existence and power lay in the grand army, one of the two that propped up the super-incumbent and massive yet tottering cause of Southern nationality. This army reposed on Georgia soil, gathering its wounded energies for the last, conclusive, desperate ordeal.

The war was at length focalized in Virginia and Georgia, and the crucial point was Georgia. The loss of Georgia was not only the destruction of one army, but it was the cutting off the source of subsistence and munitions for the other army, and therefore the more important prize. The operations everywhere save at these points were about ended. The Mississippi Valley was practically gone, Tennessee, Missouri and Kentucky were riveted, beyond hope, back to the Union, and in the other states resistance was barren. The unspeakable importance of the campaign in Georgia can be imagined, and the vital value of the Southern army here in that vivid year can be but faintly estimated.

The hope of the Confederacy rested upon the commonwealth of Georgia, and the year 1864 records the most romantic, sustained and versatile passage of arms on a large scale with the mightiest results known to modern history. As the year 1863 broke in gloom, so the year 1864 began for the South in the same darkness. After the battle of Missionary Ridge our army lay crushed at Dalton. Bragg was forced by public opinion to yield its leadership. Gen. Hardee took temporary command, but in the grand spirit of patriotism, as morally heroic as it was unexampled, he declined the permanent generalship. That incomparable organizer, Gen. Joe Johnston, was placed over the shattered force, and the work of rehabilitation proceeded thoroughly under his superb direction. The Federal head-quarters were at Chattanooga, and a magnificent army was organized there, ready when the "tugging leash" was slipped to precipitate upon the devoted soil of

Georgia the glory and the woe of this last trial of the stupendous revolution.

The whole country pulsed with the thrill of the impending storm. The authorities at Richmond and Washington looked with equal and fierce anxiety to the clash. The South gazed in breathless suspense. The people of Georgia braced their unquailing and intrepid energies for the encounter, and their dauntless Executive, composed and self-reliant, masterfully met the emergency with every resource of a powerful state and every sympathy of its gallant citizens. Gov. Brown called the legislature together to convene Thursday, the 10th of March, 1864. He sent in to that body the best message of his Executive career. It was a genuine inspiration. He incarnated in its glowing sentences the central idea of constitutional government and the very genius of Southern heroism. It fell upon the Confederacy with the vivifying potency of a blended slogan of battle and of law. From every part of the Confederacy came back the answering echo of encomium and approval. Said the Selma (Ala.) *Reporter*, "From the sea of blood whose fell waves threaten to sweep away the guerdons that encircle the Ark of our Covenant of Freedom, there rises, in the person of Joseph E. Brown of Georgia, a nucleus around which a summoned resistance will aggregate which it were madness to oppose."

Said the *Mississippian* "The country, the PEOPLE are with Gov. Brown in sentiment. We hear it on steamboats, in cars, in hotels, in private and public circles." Said the Charleston *Mercury:* "Our sympathies are in unison with the whole course of Governor Brown's argument." Said the Petersburg *Express:* "The Governor of Georgia is devoted heart and soul to the cause of the South." Said the Memphis *Appeal:* "Such action by the Sovereign States is at this time needed to prevent usurpation, centralization of power, and preserve intact the personal liberty guaranteed to us."

These extracts, taken at random from the mass of contemporaneous expression of opinion out of the State, will give an idea of Governor Brown's prominence in the South, and how he loomed above the whole file of Southern Governors in that animated day. His influence went out beyond state bounds. He was the acknowledged leader and exponent of the large element of citizens in his way of thinking. In the State the majority of the press was against him, as curiously enough it has been during the greater portion of Gov. Brown's long and successful public career. But he received from a powerful minority of the State press some striking commendation upon his message.

The Columbus *Sun*, Augusta *Chronicle*, Atlanta *Intelligencer*, Atlanta *Confederacy*, and Milledgeville *Union* all endorsed the Governor in strong terms.

The message covers forty-five pages of the journals of the General Assembly, and a perusal of its burning sentences and unanswerable arguments will explain the profound sensation it created over the South. The message recommended some additional war measures, and then entered into a fervid, powerful discussion of two great subjects. One was the passage by the Confederate Congress of an enlarged conscription act, enrolling citizens from 17 to 50 years of age, and of an act suspending the writ of *habeas corpus*. The other subject was the principle involved in the war, and the conduct of the struggle by the North. These two vital and gigantic public themes were treated with a vigor and exhaustiveness, with an ability and energy, that could not be surpassed, and the overmastering document fell upon the public mind with tremendous effect. Some parts of this stern, dominant paper are magnificent expressions of sentiment and thought clothed in lofty language. There pervades the whole document a sublimated spirit, born of the extraordinary times, and as exalted as the majestic subjects discussed. There was a high and sustained power in it that showed a wonderful ability wrought up to a sublime exercise of its strength. The seemingly extravagant encomiums of the press out of the state given before will demonstrate how able minds regarded this remarkable state paper. It was at once a logical protest against centralized despotism in friend and foe, and a masterful plea for the sanctity of our cause.

Looking at the message, with its ability proportioned to the subject, and this is saying much, it was a rare exhibition of discernment and courage, a profound and philosophical discussion of the principles of constitutional liberty and a bold, timely admonition of statesmanship. An Alabama paper voiced the public estimate in these strong words:

> "It is a majestic pyramid of impregnable facts, built with the skill of a scholar and a logician—a pyramid whose base is as broad as the sovereignty of the states, with an apex as lofty as the ambition of all lovers of constitutional freedom. It is an epitome of the war in its vital aspects, and luminous with a grasp of practical statesmanship adequate to the salvation of the Confederacy, provided its admonitions and teachings find a lodgment in the popular mind at the South."

Perhaps the most valuable personal tribute to this message was the one paid by Gen. Toombs, who wrote to Gov. Brown a characteristic and lengthy letter, presenting some additional arguments in its sup-

port. In this letter he tendered Gov. Brown his "sincere thanks for the ability, firmness and success with which you have supported the cause of personal liberty.". And he went on with these strong words:

"Among your many and well-merited claims upon the confidence and gratitude of the people of Georgia and of the whole Confederacy for your great, valuable and unwearied services in the cause of Southern liberty, none rank higher or endure longer than this noble defense of the most valuable of all human rights."

The message also elicited some very harsh and opposing criticism, and there was a warm diversity of opinion upon the policy of questioning the acts of the Confederate authorities in the desperate pressure of the conflict. Some very hard names were applied to Gov. Brown, "disorganizer," "madman," "marplot," etc. Hon. Linton Stephens introduced resolutions enforcing Gov. Brown's views. The debate was able and earnest. Outside gentlemen made speeches at night. Howell Cobb, A. H. Kenan and Hon. L. Q. C. Lamar of Mississippi made strong, eloquent addresses in support of the Acts of the Confederate administration. Alexander H. Stephens delivered a lengthy and elaborate speech upon the line of Gov. Brown's message. Linton Stephens made perhaps the strongest speech on the subject—an enunciation of great power and intensity, in which he uttered with nervous fire the memorable and ringing expression, "I AM FOR THE CAUSE AND NOT FOR DYNASTIES!" The Augusta *Chronicle* is responsible for the statement that the lobby of the Legislature was filled with prominent administration officials opposing Gov. Brown's policy. The resolutions passed by a majority of three in the House and eight in the Senate. They declared the act of Congress suspending *habeas corpus* unconstitutional, recommended repeal by the next Congress and obedience to the act until repealed. A protest was entered against these resolutions, signed by 43 members, among them Thos. G. Lawson, M. Dwinell, J. D. Matthews, Thos. Hardeman, Jr., D. P Hill, W S. Holt, W O. Fleming and others. The protest was based upon the ground that the law should be acquiesced in until decided unconstitutional by the courts.

Georgia thus led off in the protest against this infringement upon liberty, and took the initiative as the honored sentinel, in the language of Alex. Stephens, to preserve Constitutional liberty and independence as objects "co-ordinate, co-existent, co-equal, co-eval and forever inseparable."

Nor was this action without practical and solid results. The states of Alabama, North Carolina and Mississippi, the home of Mr. Davis, followed Georgia and Gov. Brown in this vital matter and protested

against the suspension of habeas corpus. But this was not all. The second Confederate Congress after a powerful, exhaustive and heated discussion refused to continue the suspension though Mr. Davis insisted upon it. It was a signal triumph of the Georgia policy inspired by Governor Brown.

A resolution was also passed expressing unabated confidence in Mr. Davis. Another very celebrated action of Georgia through her General Assembly at this time was the passage of some resolutions, also the work of Linton Stephens, declaring the ground on which the Confederate States stood in the war, and the terms on which peace ought to be offered to the enemy. These resolutions have become famous, and stand as a monument of that governing statesmanship that during the revolution Georgia so supremely and without rivalry exercised. The resolutions declared the object of good government and the right of the people to alter government to secure those objects; that the Declaration of Independence was the outcome of this principle; that Georgia was such a nationality as was entitled to exercise the full right of self-government; the causes of separation and a justification of secession; the vindication of secession by the subsequent policy of Mr. Lincoln, especially the proposition to establish governments in the seceded states if one-tenth of them were loyal to the North; that an honorable close of the war was highly desirable, and to put an end to the unnatural, unchristian and savage work of carnage and havoc, the Confederate government, after signal successes of arms, should officially tender peace on the great principles of 1776, allowing the border states to make free choice of future associations; that the effect of such a course would be salutary upon the foe and upon our soldiers and people; but renewing pledges of the prosecution of the war, defensive on our part, until an honorable peace was obtained and the independence and nationality of the Confederate States established upon a permanent and enduring basis.

An incident illustrating Gov. Brown's fixedness of purpose was this: The legislature passed a resolution to adjourn on the 19th of March, 1864, at 12 o'clock M., without acting on the Habeas Corpus and other matters. The morning of the 19th Gov. Brown sent in a message notifying the General Assembly that unless the great questions requiring action were finally settled in some way, he should convene the body in extra session on the 21st. The session was prolonged until night and action taken. Among the acts passed by this General Assembly, of an aggressive war character, was a law allowing loyal Southern females in

Georgia to secure total divorces from husbands in the military service of the United States, or voluntarily in the lines of the enemy furnishing them aid and comfort. The battle flags of the 10th and 50th Georgia Regiments were placed in the archives. The Georgia troops whose time had expired had generally re-enlisted and resolutions of compliment were passed.

On the 4th day of May, 1864, began the great Georgia campaign that ultimately ended in the downfall of the Confederacy. Gen. Joe Johnston had in the interval between the 27th day of December, 1863, and May, 1864, brought up the army to the highest point of efficiency from its sadly disorganized condition after the calamitous defeat of Missionary Ridge. His force was 42,856. Gen. William T. Sherman, commanding the Federal army, had 98,797 and 254 cannon; or more than double Johnston's army. It is to be doubted if there was ever in military annals a more consummately conducted campaign. It was a game of chess between masters. It was a grapple of giants. It was a joust of arms of unsurpassed skill between two warriors who exhibited each the highest art of warfare. Both were wary, adroit, sagacious strategists, and both were bold fighters. Johnston's policy was to preserve his precious army at the sacrifice of territory, draw Sherman away from his base of supplies, and give battle, only where he had the chance of success, and where defeat to Sherman would be most disastrous.

The writer was with Johnston during a large portion of the retreat, commanding cavalry, and participating in the actions until wounded at the battle of New Hope Church. He therefore knows practically the management of the campaign by Johnston. It was a faultless demonstration of soldierly genius. The fighting was continuous. Johnston fought under shelter of entrenchments, preserving life to the utmost extent, administering all the punishment possible, and when flanked, leisurely falling back without the loss of a gun or canteen or wheel-spoke, his army intact, deliberate and orderly as on parade. There were no surprises, no discomfitures, no disorders. The men were troubled at giving up their homes to the enemy. But their confidence in Johnston never abated.

Sherman's policy was to precipitate a great battle and crush Johnston at one blow. Failing in this, he shied around the strong fronts and compelled Johnston's retirement. The two captains both showed a marvelous subtlety in penetrating each other's adroit designs. Between Dalton and Ringgold where the two armies confronted each other, lay

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Rocky Face Mountain with Johnston impregnably settled against direct attack. Making a vigorous show of assault on the front with Schofield's and Thomas' armies, Sherman sent McPherson's army through Snake Creek Gap on the left, to Resaca, eighteen miles below Dalton on the State road. Johnston had seen the trap and made Resaca too strong for assault, and the catch failed. Johnston quietly gave up Dalton and concentrated his army around Resaca.

The town of Calhoun is six miles below Resaca. At Calhoun was Johnston's base and reserves. The Oostanaula river runs by Calhoun down to within a mile of Calhoun, when it turns and goes in the direction of Rome. At Tanner's Ferry, two and one-half miles, a near point of the bend to Calhoun, Col. I. W Avery of the 4th Georgia Cavalry was stationed with a brigade of cavalry and a battery of artillery defending two miles of the river. A mile behind him was Gen. John T. Morgan's brigade of cavalry in reserve, and at Calhoun Gen. W H. T. Walker's division of infantry, both of which commands he was directed to call upon if too heavily pressed. On the afternoon of the 14th of May, 1864, Sherman made a general attack on Johnston's army at Resaca, and simultaneously threw a heavy force at Tanner's Ferry to drive a crossing. Col. Avery's brigade, extending along two miles of river, presented a thin line of defense. Immediate dispatches were sent both to Gen. Morgan and Gen. Walker of the attack, and a most stubborn resistance was made, but the crossing was forced after several hours' fighting, in which one half of the brigade was destroyed. Gen. Morgan arrived a short while after the enemy were over, and after dark Gen. Walker arrived. The Federals entrenched and strangely delayed to move upon Calhoun, to which they were three and one-half miles nearer than Johnston's main army at Resaca. The next morning, Gen. Walker, deceived by the enemy's quiet, and against the opinion of the cavalry officers in front, dispatched Gen. Johnston that the report of the passage of the Oostanaula was unfounded, and caused a change of plan. Gen. Walker then threw Gen. Jackson's brigade of infantry against the quiet enemy and met with a quick and bloody repulse, and immediately notified the army commander. That night Gen. Johnston retired from Resaca, having repulsed the Federals with a loss to them of 5,000 men, while his own was inconsiderable.

On the morning of the 16th, Gen. Hardee rode out to the Picket line where Col. Avery was, and after a close inspection of the enemy's lines, came to the conclusion from the inactivity that no movement was threatening. In five minutes after he left, there was an advance sweep-

ing the cavalry back, and a lively brush occurred between Hardee and McPherson. Johnston fell back to Cassville. Rome was abandoned to the Federals. At Cassville, Johnston determined to give battle. It was a very strong position for us. The men were burning to fight. The writer remembers well the afternoon of the 19th of May, 1864, reading Johnston's ringing battle order—a model of terse, fiery rhetoric to his brigade in the falling twilight, in an old field environed by solemn woods. The men called for a speech, and in common with others, the writer made a few words of deep-felt appeal from a convenient stump. The delight of these grim soldiers at the prospect of fighting for their beloved homes was inspiring. The writer's command was composed mostly of men from the section we were giving up, and in retreating they were leaving their wives and children behind them to the ruthless mercies of the foe. It is such a test as this that tries brave men to the very depths. None can understand the anguish of such a retreat, save those who have undergone it. Death almost were preferable to an ordeal so full of agony of soul and wretched dread for loved ones. This was bringing home to soldiers the last and worst horror of the blighting war. And when it was announced that a stand was to be taken and the battle fought, there was such a thrill of joy pulsing the hearts of these brave patriots as gave stern token of the unconquerable fight they would have made. Men were never more earnest, and they would have never yielded that field. But the battle purpose was unwisely relinquished by Gen. Johnston, and the golden opportunity of the campaign was lost against his decided judgment. Gen. Johnston afterward traveled with the writer in the fall of 1864, from Macon to Charlotte, and said that the battle was renounced by him at the urgent entreaty of Generals Hood and Polk, two of his corps commanders, who said they could not hold their positions; while Gen. Hardee, the other corps commander, who had the weakest place in the line, declared his ability to maintain his ground. Gen. Johnston himself, said he regarded it as the loss of the best chance of the retreat, and that he had always regretted that he did not give battle then. He apprehended, however, that Hood and Polk would not fight with zeal if they did it in fear of defeat, so he yielded to them. The army was discouraged at not fighting this battle, but soon recovered, and it shows their stern sense of duty and sturdy patriotism, that they remained in the ranks, though they were leaving their homes in the hands of the enemy.

Sherman, presuming that Johnston would utilize the Allatoona Pass for a stand, made another flank movement for Dallas. The sleepless

Johnston detected the new step and quietly interposed his army at New Hope Church. Here was a desperate bout, furious and bloody, in which Sherman was frightfully punished. Early he made an effort to turn our right and get in between Johnston and the railroad. This was the afternoon of the 26th of May, 1864. Col. Avery was thrown at the double quick with a part of the 4th Georgia Cavalry to check the movement until troops could get up to thwart it. Gen. Johnston in his Narrative says of this perilous attempt upon his flank, "Although desperately wounded in the onset, Col. Avery, supported in his saddle by a soldier, continued to command, and maintained the contest until the arrival of forces capable of holding the ground." Major Sidney Herbert, the capable and careful correspondent of that powerful paper, the Savannah *News*, writing in 1878 the particulars of a conversation with Gen. Johnston, reported him as making this additional statement about this most dangerous and nearly successful effort of a corps of the enemy to cut him from his base, an effort prevented in a manner showing the value of moments and of the determined resistance of even a small force against a large one at the opportune time: "Finding himself confronted by the advance guard of several divisions of Federal troops, Col. Avery saw that it was hopeless to contend against such odds, yet a stern sense of duty made it plain to him that he must resist their advance until the Confederate forces could have time to place themselves in action. Under these circumstances, and impelled by this strong sense of duty, he fought against overwhelming numbers and with bloody results, until the needed reinforcements came up. His rare personal courage inspired his brave soldiers. Although severely wounded, he remained in his saddle supported by a soldier, and thus accomplished, under great physical suffering, his grand self-imposed task for duty's sake." From this time to the 4th day of June the two armies lay in a dead-lock, fighting daily. Every effort made by Sherman to trip his adversary was abortive. Every assault was bloodily repulsed.

Sherman began to flank again, this time moving to the right of Johnston, and the two vast gladiators faced each other, Sherman near Acworth, and Johnston near Marietta. Johnston manned a line of eminences, of which Pine Mountain in the center, Lost Mountain on his left, and Memorable Kennesaw Mountain on his right composed the obstructive trio. Rested, reinforced, provisioned, Sherman determined to break the cordon if possible by force, and on the 9th of June, 1864, he commenced. The history of war reveals no such battle. Until the 3rd day of July, twenty-three savage days, he battered away with his ponder-

ous human mallet to break down and through the interposing wall of flesh and steel. It was one incessant straining battle, lulling occasionally to a hot skirmish, and then blazing into a deadly struggle. Hood had the right, Hardee the left, and Polk the center. McPherson confronted Hood, Schofield faced Hardee, and Thomas grappled with Polk. On the 14th of June the Bishop-soldier Polk yielded his sacred life. Sherman pushed the mortal game with a grand tenacity. Pine Mountain was first abandoned, and then Lost Mountain was sullenly relinquished, and Johnston contracting his line presented a stronger chain of obstacles than ever, while Sherman had spent men in vain with a prodigal thriftlessness. For the first time Johnston threw Hood against the enemy's right in a crisp tentative reconnoisance, but it was done with a repulse and a loss. On the 27th of June Sherman made his crucial drive, and a mad, terrific clash it was, Thomas and McPherson with three-fourths of the Federal army striking Hardee and Loring, who had succeeded the noble Polk. The Federal line, with a desperate courage unsurpassed anywhere, rolled against Johnston's entrenched ranks, but it recoiled, smitten and shattered, in crumbling, bloody fragments, with the loss of thousands. Sherman was satisfied with a direct march upon our army for over three straight crimson weeks, and he returned to his tactical waltzing. He shot McPherson's army for the Chattahoochee on the right, and back slid the undeceivable Johnston out of the strategic trap, and after a number of days of lively snapping, on the 9th of July, 1864, he crossed the Chattahoochee with his army as solid as a packed cotton bale, and North Georgia, reposing in Sherman's grim clutch, helpless and miserable.

Both armies went to sponging off for the next grapple. For two weeks they rested. It is always wise to heed a foe. The following pregnant and impressive sentences so aptly tell the truth that quoting them is an irresistible temptation. They are from Swinton's famous Book.

"In the latter days of the Confederacy, the grim fatality which from the outset had walked with it, side by side, along its destined course, silent and unseen, seemed to throw off, at length, the cloak of invisibility, to stab it boldly with mortal blows. While in the enthusiasm of the contest, it seemed hardly fanciful to declare that fate itself, shadowing the Confederacy so long through successes, with unsuspected presence, at length revealed its sardonic figure in the moment of destiny, to fix its doom and downfall. One such mysterious blow to the Confederacy was that by which Gen. Johnston was removed from its Western army, at the moment when he was most needful for its salvation, kept from command till an intervening general had ruined and disintegrated it, and then gravely restored to the leadership of its pitiful fragments."

On the 17th of July, 1864, the Federal army resumed its active work, and on the same day the President, Mr. Davis, relieved Gen. Johnston of the command of his army, and substituted Gen. Hood in his stead. Johnston had made vigorous preparations for the defense of Atlanta. He was sitting in his tent talking with Gen. Mansfield Lovell, when a package of communications was brought to him. He read one, and then with a quiet unconcern and a pleasant smile handed it to Gen. Lovell, saying, "What do you think of that?" It was the order relieving him of command. Stunned at the order, General Lovell begged him to make no obedience to it until an effort could be made to get it reversed. Johnston declined to make any effort. Gen. Lovell, however, got the corps commanders together, Generals Hardee, Stewart and Hood, and they petitioned and protested against the change, deputizing Gen. Hood himself as a matter of courtesy to send the protest. Gen. Hood sent the dispatch, but it was worded in such a way as to carry no force and exert no effect. Mr. Davis declined to withdraw the order and Johnston returned to privacy.

In this connection it is said upon the authority of two gentlemen closely connected with Mr. Davis, one of them, alleged to be Gen. A. R. Lawton, who had been made the Quartermaster-General of the Confederate armies, and the other, Gen. Gilmer, that he was opposed to removing Gen. Johnston, and reluctantly yielded to the advice of his Cabinet advisers. The account goes that at the meeting when it was determined, Mr. Davis walked up and down the room with his hands behind him in deep anxiety, saying with earnest emphasis and a most troubled manner, that he doubted the propriety of it. This report is the more important because it conflicts with the generally accredited opinion and puts Mr. Davis in a different light.

It is not perhaps irrelevant nor an exaggeration to say that Gen. Johnston's career presents the most remarkable anomaly of military annals. From the beginning to the end he was distrusted and depreciated by the Confederate authorities, yet he held from first to last the confidence and admiration of armies and people. And every effort of the several made to retire him to obscurity, but strengthened him in popular esteem, and resulted in calling him to new exaltation of power, new display of genius and increase of fame. It seemed impossible to dispense with him. The public outcry for his installation in responsible leadership was irresistible. His genius was openly decried, and his administration condemned by his superiors, yet it was utterly in vain so far as the public confidence was concerned. The people stubbornly

believed in him, and the soldiers clamored for his Generalship and fought under it with an unshakable trust and a loving enthusiasm. And while he labored under a continuous censure from the Confederate rulers, he enjoyed a constant triumph of praise from the masses of the people. It certainly presents a strange incident of the war, this incongruity of Johnston's connection with the struggle. Another curious fatality of Johnston was, that his genius was conspicuously and most mournfully vindicated by the blundering failure of others, instead of the successes achievable by the enforcement of his counsels and plans.

When Gen. Johnston was removed he had been fighting an army double his own for seventy-four consecutive days. He had lost in killed and wounded 9,450 men, and inflicted a loss upon the enemy equal to the Southern army. He turned over to Gen. Hood a splendid experienced army of 50,627 veteran soldiers, disciplined, seasoned and buoyant, as fine a band of fighters as the world ever saw, well equipped and armed, well officered, well organized and invincible in Gen. Johnston's hands against attack. The removal of Johnston was the beginning of the end. It was the turning point to ultimate failure. Sherman gave a long, deep breath of relief, and said, "Heretofore the fighting has been as Johnston pleased, but that hereafter it would be as he pleased."

From this time on, the cause steadily sank, until it was engulfed in ruin. The army was the prop of the cause, and the leadership was given to one who was brave enough, but who fatally underestimated its value. Territory lost could be regained. The army gone, the cause was dead. The downfall was progressing surely, and our great Georgia was the theater of its enactment in strange fulfillment of romantic destiny.

GEN. J. E. JOHNSTON

CHAPTER XXIX.

SHERMAN TEARS ATLANTA FROM HOOD.

The Georgia Militia.—Gen. G. W Smith.—Gov. Brown's Heroic Ardor.—Johnston's Praise of Brown.—Brown and Davis.—Hood's Gallant Waste.—The Battles of the 18th and 22nd of July around Atlanta.—The Death of Col. John M. Brown, brother of Gov. Brown.—Sherman's Cavalry.—Stoneman's Capture.—Hood's Attack 28th July.—Bombardment of Atlanta.—Gov. Brown orders out County Officers.—Hood Sends off his Cavalry.—Jonesboro.—Atlanta Falls.—Its Moral Effect.—The South Stunned.—The North Vivified.—Compliments to the State Militia.—Gov. Brown and Mr. Sedden in their Last Stern Correspondence.—The Close of a Series of Intellectual Conflicts that will Gain Interest with Time.—De Fontaine's Pen Picture of Joe Brown.—Sherman in Atlanta.—His Exile of her People.—Hood and Sherman.—Tart Letters.—Beauregard.—Convention of Governors.—Mr. Davis and Ben Hill Visit Georgia.—Davis' Unwise Speech at Macon.—A Photograph of Mr. Davis.—His Qualities and Needs.—Hood sent to Tennessee.—And the Dark End at Hand.—The Appointment of General A. R. Lawton Quartermaster-General of the Confederate Government.—A Distinguished Officer.—The Great Compliment of this Assignment.—A Vast Responsibility Well Borne.—Georgia's Controlling Agency Continued in this.—Gen. Lawton's Brilliant Administration.—Destruction of all the Quartermaster's Papers.—The Enlistment of Negro Soldiers.—A Remarkable Document.

We have come to Hood's fatal assumption of command, in the heart of Georgia, of the most important of the twin armies of the Confederacy, on the 17th day of July, 1864. Atlanta and its vicinity were to become the arena of momentous occurrences. The defenses around Atlanta had been going on for weeks. Heavy rifled cannon had been brought from Mobile; the military shops had been removed. Gov. Brown had organized over 10,000 of the State militia, and placed them in the trenches around Atlanta, under Major-General Gustavus W Smith, with Gen. Toombs as chief of staff, who was placed under Gen. Hood's orders. The conduct of Gov. Brown in this crisis deserves all praise. He did all that mortal man could to aid the desperate and failing cause. His appeals were eloquent and urgent for the sons of the State to rally to its defense. He had used every possible means to supply the troops with arms and clothing. He had chartered ships to import supplies. The Confederate Secretary of the Treasury refused to permit any vessel to clear unless she carried out one-half of the cargo for the Confederate government, which blocked Gov. Brown's

operations. He had bought 30,000 blankets for soldiers and 30,000 cotton cards, and had 300 bales of cotton loaded on the ship Little Ada to send out and pay for them, when Mr. Memminger refused a clearance for her. Gov. Brown, in conjunction with Gov. Clark, Gov. Watts and Gov. Vance appealed to Congress for relief. The matter created much comment at the time, but the Confederate authorities refused to yield.

Gen. Johnston states in his "Narrative," that on all occasions he was zealously seconded by Gov. Brown. Quite an important correspondence took place between Gov. Brown and Mr. Davis in June, 1864. Gov. Brown wrote to Mr. Davis asking if reinforcements could not be sent to Georgia, and suggesting that Forrest or Morgan cut Sherman's communications. Mr. Davis replied, saying that he could not change the disposition of our forces so as to help Gen. Johnston more effectually. Gov. Brown answered: "If your mistake should result in the loss of Atlanta and the occupation of other strong points in this State by the enemy, the blow may be fatal to our cause, and remote posterity may have reason to mourn over the error."

Gen. Hood lost little time in assuming the aggressive. Throwing completely over the cautious Fabian strategy of Johnston, Hood committed an error that the most ordinary soldier would have avoided—threw his army against Sherman's double force, strongly entrenched, and met with a bloody repulse. If Sherman with twice the men had been unable to ever drive Johnston, what hope could Hood possibly have to force strong entrenchments with half the men. Hood took command at sunset on the 18th July, 1864. On the 20th, in the afternoon, he struck Sherman on the Buckhead road running from the Chattahoochee river to Decatur. He indented the Federal line at the first onset, but a five hours' gory battle sent him hustling back with a loss of about 5,000 men against a Federal loss of 1700. Nothing daunted, Hood moved out on the Federal left on the night of the 21st, and on the morning of the 22nd pounced savagely upon Sherman. There has been no heavier fighting than this fierce battle. From 11 o'clock until night it raged. The Confederates secured several important advantages by sheer audacity. Gen. James P. McPherson was killed in this battle. Gen. McPherson, though a young officer, was one of the most brilliant in the Federal armies. A monument in the woods near Atlanta marks the spot where he fell. Several batteries were captured, and several valuable positions taken gallantly. Wheeler's cavalry did good service. Prodigies of superb but useless valor were

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done by Hood's noble men. But Sherman was too strong and too game. Hood withdrew from his fatally earned inches of progress with two pitiful guns and the loss double the enemy, whose hard fighting was shown in a summary of 3,722 casualties. In this battle Gen. W H. T. Walker was killed and Gen. Mercer wounded. Among the desperately hurt was Lieut. Col. John M. Brown, a brother of Gov. Brown, who was wounded while leading his regiment, one of the State organizations, gallantly in a charge. He was twenty-five years old. He had been wounded at the battle of Resaca while holding the rank of Major. He returned to his command before his wound was healed, and was unanimously elected Lieut. Colonel. He took part in the Kennesaw battle. He was commanding the regiment on the 22nd. He was a very promising officer, and beloved by his regiment. This was the second brother that Gov. Brown lost in the service. Col. Brown died from his wound at the executive mansion on the 25th of July, 1864. While standing by the bedside of his dying brother, Gov. Brown was called upon to provide means for the defense of Milledgeville threatened by a raid, and it seemed doubtful if he would be permitted to bury his brother in peace.

Sherman's cavalry were very active. Garrard broke some bridges near Covington on the Georgia road. Rousseau tore up the West Point road at Opelika. Stoneman with 5,000 troopers and McCook with 4,000 went out to meet on the Macon road and rip up matters. Both commands were surrounded. McCook escaped, but Stoneman surrendered to a force consisting of Iverson's Georgia brigade, Adams' Alabama brigade and Williams' brigade, under command of Brig. Gen. Alfred Iverson. Stoneman had attacked Macon but had been repulsed by a part of Gov. Brown's militia under Gen. Cobb, both Gov. Brown and Gen. Cobb being on the field, and acting under suggestion of Gen. Jos. E. Johnston, who was present supervising the engagement. Over 600 Federals were captured. The grateful citizens of Macon proposed a dinner to Iverson and his command, but the command was ordered away before the purpose could be carried out.

The fighting around Atlanta up to this time had been done on the South-east. Sherman moved his forces over on the west side, and Hood followed him up. On the 28th of July, 1864, Hood made another of his daring onslaughts upon Sherman with the same unsuccessful and bloody result, a loss of three or four of his own men to one of the enemy. The losses of Hood in killed and wounded, not including the captured, up to July the 31st, from the night of the 18th, or thirteen

days, were 8,841, or only 609 less than Johnston had lost in seventy-four days' continuous battle, in which Johnston had whipped every conflict and Hood lost every one he had fought. On the 5th of August Schofield struck Hood's line, but was driven back with a loss of 400 men. This was the sole Confederate success won by Hood, and it illustrated the wisdom of Johnston's strategy. A division of Federal cavalry made an attack upon Macon, but were repulsed by Maj. Gen. Howell Cobb with two regiments of militia and several other commands.

Sherman constantly bombarded Atlanta, throwing his shot and shell into the heart of the city. The private residences were daily struck. The dwelling of Judge C. H. Strong, the present clerk of the superior court, the stores of Beech & Root and W F. Herring on Whitehall street, the residences of E. B. Walker and A. M. Wallace on Ivy street, and hundreds of others, were damaged. People burrowed in their cellars for protection; basement stories were at a decided premium; and holes in railroad cuts were utilized in the cause of personal safety.

The campaign was rapidly culminating. Sherman finding that direct assault was unavailing, and that Hood had learned by costly experience the lesson that Johnston had so astutely understood at the start, that he must economize his army, again resorted to his old strategy. In the meantime Gov. Brown, appreciating the emergency, was reinforcing the State militia. He used every means to get men to the front. Some foreigners were dodging military duty. He issued an order driving aliens from the State unless they would do service. He ordered out the county officers. He infringed pretty nearly upon the cradle and the grave. His energy was unbounded. And the raw State militia did noble duty. Gen. Johnston on the 7th of July wrote to Gov. Brown complimenting the Georgia State troops. After the battle of the 22nd of July Gen. Hood wrote Gov. Brown that they had fought with great gallantry. The field officers were as follows:

First Brigade, Brigadier General R. W Carswell.
First Regiment, Colonel E. H. Pottle.
Second Regiment, Colonel C. D. Anderson.
Fifth Regiment, Colonel S. S. Stafford.
First Battalion, Lieutenant Colonel McCay.
Second Brigade, Brigadier General P J. Phillips.
Third Regiment, Colonel Jno. M. Hill.
Fourth Regiment, Colonel R. McMillan.
Sixth Regiment, Colonel J. W Burney.
Independent Artillery Battalion, Colonel C. W. Styles.

The Staff was as follows:

Major General, Gustavus W Smith.
Inspector.General, General Robert Toombs.
Adjutant Gencral, Major W K. De Graffenseid.
Chief of Artillery and Ordnance, Colonel Joseph S. Claghorn.
Chief Quartermaster, Colonel L. H. O. Martin.
Chief Commissary, Major W J. Williford.
Medical Director, Dr. H. R. Casey.
Division Surgeon, Dr. Thomas A. Rains.
Aid-de-Camp, Colonel Linton Stephens.

Gen. Sherman struck out on the 25th of August, 1864, for his final mischief in the matter of securing Atlanta. Gen. Hood perpetrated another of his irreparable blunders, that Gen. Johnston so unerringly avoided. He sent off Wheeler's cavalry to cut the State road. Sherman leaped to the opportunity. He dashed down on the West Point railroad and tore up twelve continuous miles. He then made for the Macon railroad, threatening it for eleven miles from Rough and Ready to Jonesboro. Hardee and S. D. Lee were at Jonesboro, and made a rushing onslaught upon the Federal force on the 31st of August, 1864, but retired finally with a heavy punishment upon both sides. The next day, the 1st of September, Lee having been withdrawn by Hood the night before, Sherman attacked Hardee's attenuated line late in the afternoon. The fight was a frightful one, and Hardee's dauntless corps, fighting overwhelming odds, covered itself all over with glory. But a break was made at one point by the pure pressure of numbers. The line reformed in the short distance of one hundred and fifty yards from the break, and held until night. But the campaign was ended. The road to Atlanta was in Sherman's hands, and Hood moved out of Atlanta amid the thunder of exploded magazines and the baleful light of burning military stores, fired to destroy them. In the silence of the night the reverberations of this ominous noise, the counterfeit of battle, and the gloomy glare of conflagrations at Atlanta, came down the twenty miles to cheer the slumbering Federal conquerors, and to sadden the weary, mutilated legions of Hardee, sullenly leaving the blood-stained streets of Jonesboro.

The moral effect of the fall of Atlanta was simply immeasurable. In Virginia, Lee had repulsed every assault, destroying innumerable Federals, and manning his lines with a seemingly untouched capacity of resistance. Jubal Early, in the Valley, had won a startling success. The North was gloomy. A convention there clamored for peace. The people grumbled savagely. An additional half a million of soldiers was

drafted, and Lincoln squinted at peace negotiations. In this pervasive depression, the capture of Atlanta thrilled the Union with its ringing spell. The Southern Heart was reached. Half of Georgia lay writhing in Sherman's iron grasp, and with it the Gate City, the Key to our Southern railroads, workshops, granaries, prisons, and arsenals. Standing midway between the cotton and grain belts the Federal commander, viewing the successful issue of his wonderful campaign, with its superb succession of battles and strategy, and the sorely wounded army of his foe, driven, shattered and bleeding from its cherished and vital stronghold, sent back to the North such a note of encouragement and triumph as gave lasting inspiration to the Union cause.

But if the taking of Atlanta so enthused and strengthened the North, it fell upon the South with a proportionately depressing effect. Men began to talk of peace. Some gentlemen wrote to Alec Stephens and Herschell V Johnson, the two strong Union men at the beginning of the war, for their views of the propriety of attempting a peace movement. Both replied advising against it then. In the lull in operations following the fall of Atlanta, Gov. Brown furloughed the state militia for thirty days to go home and look after domestic matters and prepare for the next campaign. This militia force embraced men not included in the conscription law, the state officers and boys down to 16 years, and old men up to 55. Many of them had seen service and been discharged for disability. They were dubbed "Joe Brown's Pets." They were unable to stand much hardship, but as has been seen they had fought heroically, and performed service that was gratefully acknowledged by both Generals Johnston and Hood, in the following letters:

"NEAR CHATTAHOOCHEE, 7th July, 1864.

"*To His Excellency, J. E. Brown, Governor:*

"I have the pleasure to inform you that the State Troops promise well, and have already done good service. While the army was near Marietta they were employed to support the cavalry on the extreme left, and occupied a position quite distinct from any other infantry of ours. According to all accounts, their conduct in the presence of the enemy was firm and creditable. Such Federal parties as approached the crossing places of the Chattahoochee guarded by them, have been driven back. These proofs of their value make me anxious that their number shall be increased. Is it possible? You know that the distinguished officer at their head is competent to high command.

"Most Respectfully, Your obedient servant,

J. E. JOHNSTON."

"HEAD-QUARTERS, July 23d, 1864.

"*To His Excellency, Governor Brown:*

"The State Troops under Major Gen. Smith fought with great gallantry in the action of yesterday. J. B. HOOD, General."

The following is an extract from a letter from Major General G. W Smith to Gov. Brown, relative to the fight of the 22d July, at Atlanta:

"The Militia did themselves great credit *outside* of the trenches on Friday. They marched over the breastworks—advanced upon the entrenchments of the enemy in fine order, took position within three hundred yards, and silenced the artillery by musketry fire through the embrasures. We had no support on our right within a mile, none on our left within six hundred yards, and our troops on the left were driven back.

"We held our position for several hours, and only withdrew after receiving an order to that effect from General Hood, which order was given because the troops upon our left had been repulsed. There was not a single straggler."

These troops were the occasion of the last memorable controversy between Gov. Brown and the Confederate administration. Mr. Davis, through Mr. Seddon, made requisition upon Gov. Brown for these 10,000 militia and such other force as he might be able to raise; those in Gen. Hood's department to report to him, and those outside to the commandant of South Carolina and Georgia. This requisition was dated August 30, 1864, and alleged the condition of the State subjected to formidable invasion as the basis for it.

In the desperate stress of the Confederacy and the stern spirit that pervaded all classes in the consciousness of impending disaster, the forms of politeness were ignored. The antagonism between these high officials had widened and become more embittered. The correspondence is as fiery, incisive and biting as it was possible to be. It was war to the knife. The requisition of Mr. Seddon was received on the 12th of September, and Gov. Brown made immediate reply. He regretted that Mr. Davis was so late in discovering that Georgia was in such danger. The "formidable invasion" began in May and was still going on. He scathed the military policy that had scattered forces instead of concentrating at the point of danger, that had withheld reinforcements until the damage was accomplished, and that had left in our rear a camp of 30,000 Federal prisoners. He scored the administration for not discovering that these troops were already in the trenches fighting under Gen. Hood. As the call for them was unnecessary, he argued that Mr. Davis desired to get control of the whole of the reserve militia, disband its organization and put his own officers over the troops. These commands had been gallantly fighting and many of them filled soldiers' graves. No other state had organized such a force not subject to conscription, and placed it in command of the Confederate general, and no such requisition was made upon the Governor of any state but Georgia. The requisition, too, was made in such a manner as to take the troops out of the trenches rather than putting them in, dividing the troops and

sending a part of them to Charleston. Gov. Brown refused to honor the requisition, but said that he should keep these troops at the front under command of the Confederate General as long as he staid in Georgia. Gov. Brown went on to suggest that Georgia had fifty regiments in Virginia besides soldiers in every State. If her brave sons could return to fight for their own State, if they could not drive back the invader, they would perish in a last effort.

October 8, 1864, Mr. Seddon replied. He began: "It requires forbearance in reply to maintain the respect I would pay your station and observe the official propriety you have so transcended." The reason of the call was to get the full organization of militia, impart unity and efficiency to the troops, and subsist and pay them at Confederate expense. The President had the right to call such militia. This is the first case where the right had been questioned. In the war with Great Britain, Massachusetts and Connecticut had made some such point, but it was overruled, and the impression was created that these states were in collusion with the enemy. Mr. Seddon directly charged that Gov. Brown's prominent and influencing reasons sprung from "a spirit of opposition to the government of the Confederate States and animosity to the chief magistrate whom the people of the Confederacy have honored by their choice and confidence." He said that Gov. Brown's resistance to conscription had impaired the help given to Georgia; that his suspicions of Mr. Davis wanting to disband the militia to reorganize it with his own officers was chimerical; that he had formed nondescript organizations, scant in men and full of officers, affording scarcely a decent division of 4,000 men out of an alleged 16,000, and that Gov. Brown had, by the spirit of his past action and public expressions, caused our enemies to feel encouraged, and the patriotic citizens of the Confederacy to feel mortified. He closed with these biting words:

"To the department it would be far more grateful, instead of being engaged in reminding of constitutional obligations and repelling unjust imputations, to be co-operating with your Excellency in a spirit of unity and confidence in the defense of your State and the overthrow of the invader."

Gov. Brown, on November 14, 1864, replied that he intended no personal disrespect in his letter. He was dealing with principles and proposed to do so frankly. He dissected the nature of the call made on him for boys and old men not subject to conscription or to serve in armies, and showed there was no analogy to the case of Massachusetts and Connecticut, who were called on for men liable to service. In the case of Georgia the call was for militia not subject to duty, or to Con-

federate call, and not called for from any other State, but already in the field under the Confederate commander. Gov. Brown went on in this letter to answer the various points made against him; that his "nondescript" organizations were in exact conformity to the law; that his "scarcely decent division" of 4,000 men only embraced the territory between Atlanta and the Tennessee line, leaving the territory below with 12,000 men untouched; that any interruption with Confederate plans was imaginary; that he could scarcely have given more encouragement to the enemy than Mr. Davis did in his Macon speech when he informed the world that two-thirds of the Confederate soldiers were away from their posts, and that his animosity to Mr. Davis was really his unwillingness to indorse the errors of the administration. His concluding sentence thus reads:

"No military authority, State or Confederate, can be lawfully used for any other purpose than to uphold the civil authorities, and so much of it as the Constitution of my country has confided to my hands shall be used for that purpose, whether civil society, its constitution and laws shall be invaded from without or within. Measured by your standard, this is doubtless disloyalty. Tested by mine, it is a high duty to my country."

Mr. Seddon answered on the 13th of December, 1864. His letter continues the sharp discourtesy, stating that if there had been any "want of faith or breach of duty" Gov. Brown was the "guilty party," alluding to what he called Gov. Brown's "garbled extracts" from the correspondence with the department, and speaking of his "wanton and reckless assaults" upon the Confederate administration. In his concluding letter, dated January 6, 1865, Gov. Brown refers to the devastation of Georgia, and says that the only slight barrier to the foe was this very militia of boys and old men that he refused to turn over to Mr. Davis and permit a portion of them to be sent to Charleston as required by Mr. Davis while they were in the trenches defending Atlanta.

This correspondence reflected the temper of those stern days, and closed a series of constitutional conflicts that will gain interest with the passage of time. And they will become unceasingly famous in illustrating, to use the expressive language of Mr. Grady, that vivid user of words: "Brown, the pallid, forceful mountaineer, who held the helm through Georgia's bloodiest days, and went through a revolution as the foil of its President, standing for the sovereignty of the States against a centralized confederacy."

It will not be inappropriate in this connection to quote from the journalistic correspondence of that day a portion of a letter written from Georgia to the Charleston South Carolinian by Mr. F. G. De Fon-

taine. He wrote over the name of "Personne," which he made famous then, and he was a rival of our own Georgia war correspondent, Col. P W Alexander, who under the initials "P W A." achieved so much distinction for his war letters. De Fontaine was very brilliant and his letters were vivid and sparkling pictures. Here is his letter alluded to, and it portrays Gov. Brown:

"Take a delicately constructed human form, robe it in a summer suit of black with that careless grace which so well becomes a Southern gentleman; give it a light quick step and an easy motion which betokens at once the peacefulness of a lamb or the leap of a tiger; let there rise from the recesses of a roughly turned shirt collar, a long muscular neck, on which there sets a handsomely shaped head—not too broad across the eyes, but long from front to rear, and high from ears to summit—a little too large for the body below, both as regards motive power and proportion; surmount the whole with a not too quickly growing mass of iron gray hair, which is brushed well back from the temples, revealing a tall, expansive and expressive forehead, marked with lines of mental toil; set under a brow indicative of the moral strength of the man, a pair of keen dark eyes, mild or piercing as his thoughts may chance to flow, whose variable color may be either gray, black or brown; fasten in its proper place one of those solid looking noses by which Napoleon used to choose his thinking men; close the catalogue of features by the addition of a large Henry Clay style of mouth, with an under jaw that can work with the force and vehemence of a trip hammer, and lips so pliable, that like his eyes, they express every feeling, and you have the *tout ensemble* of the not ungraceful form and clean shaven face of a man whose name has gone the rounds of every household in the confederacy—His Excellency, Joseph E. Brown, Governor of Georgia.

"An hour's conversation has revealed him to me as one of the most remarkable men it has been my fortune to encounter during the war, not remarkable perhaps for high intellectual attainments—though probably he is not wanting in these—but remarkable in the possession of those strong personal qualities which eminently fit him for the position he now occupies, as a leader of the people of his state, and an obstinate opponent of the policy of the general government.

"If his manner is polite to a fault, and winning in its silent eloquence, his conversation is doubly attractive, as the outpouring of a nature evidently sincere, conscientious, and fully imbued with a sense of the grave responsibilities with which he has been invested. His utterances are rapid, though frequently overtaking speech, and his gestures few, but forcible and nervous. Fastening his eyes on one who converses with him, fact after fact, and statement after statement roll from his lips in quick succession, until the whole argument clearly and completely shaped stands before you like a picture. Then he becomes a ready listener, with great frankness, he combines a determination that never baulks at difficulty, and would make him almost fierce in the achievement of an end, the way to which was environed with obstacles. Shrewd as a politician, genial in his social intercourse, accessible to any and all, plausible in his statements, with great success in the administration of state affairs as an unimpeachable fact to back him, and more than all, for his strength and fortress a principle always taking with the mass of the people, I can readily understand the secret of the popularity which has been attained by Gov. Brown.

"Remarking to him, in the course of our interview, that his policy was not generally understood beyond the limits of his own state, and was accordingly regarded as inimical

to the best interests of the Confederacy, he replied, and not without some force, that the platform on which he stood now, was the same as that occupied by every state of the Confederacy in 1861. Georgia, in common with her sisters, as a sovereign state, had delegated to the general government, as an agent, certain powers; and only when these were transcended or usurped by Mr. Davis, or by Congress, had he (the Governor) stepped forward to enter his protest against the act. In so doing he had merely made an issue on principle, that it might not be retorted upon him in the future that he silently acquiesced in measures clearly inconsistent with the spirit of the Constitution. The encroachments of centralized power had been the curse of the continent, and it behooved every statesman in the South to see to it that while yielding to our own general government all proper support, every attempt by it to interfere with the action of the state authorities should be promptly met and checked. To use the Governor's own illustration—we were all sailing in the same boat, and although the pilot at the helm might be steering upon a reef, the crew while discovering the danger should only protest, not mutiny. Thus he would be the last man in the Confederacy to throw obstacles in the way of the President, and had ever rendered all the support in his power. He had always furnished more troops than were demanded, and he was in the present instance calling on his militia without a hint to that end from the Executive. Peace he did not want and would not have, except on terms consistent with the honor of the South; and hence he was utterly and every way opposed to the efforts on the part of a faction in North Carolina to get up a state convention, looking to the accomplishment of that object by any other means than those now employed. He had advised against it and should continue to do so. The idea of a further secession on the part of any Southern state was preposterous, and those who imagined that the attitude of Georgia to-day, or of any of her officials, lent color or probability to such an event, were committing one of the greatest of errors.

"I confess myself surprised at the frank definition of his position which Gov. Brown gave me. Although the above is but the substance of his remarks, I repeat them to your readers, because they will serve to disabuse many a mind of the idea, that he is the dangerous 'element of discord' which thousands now believe him to be."

This letter is a valuable, and in many respects a remarkable one, and especially so in the intuition of Gov. Brown's character attained in so brief a scrutiny. It is a fine piece of word-painting, and an accurate comprehension and fair statement of Gov. Brown's important position. Mr. De Fontaine's picture is well worthy of preservation.

Recurring to Gen. Sherman's occupation of Atlanta, he inaugurated a vigorous policy. His idea seemed to be to make it purely a military station. Upon his entrance he was met by the Mayor, Col. James M. Calhoun, and other citizens, who sought the protection of the city. He issued an order outlawing Col. G. W Lee, Col. Alexander M. Wallace, Capt. G. W Anderson and Mr. C. W Hunnicutt, on account of certain alleged offenses against Union people. He ordered the departure of all the citizens from Atlanta, and he notified Gen. Hood, on the 7th of September, 1864, that he would remove them and their baggage to Rough and Ready, sending the letter by James M. Ball and James R.

Crew. A sharp correspondence ensued. Gen. Hood replied pronouncing the measure unprecedented in transcending the "studied and ingenious cruelty of all acts ever before brought before the attention of mankind, even in the darkest history of war." Gen. Sherman retorted back, tartly telling Gen. Hood to "talk to the marines;" that the act was a kindness to the people of Atlanta; and arraigning the Southern generals for savagery in warfare, and the South for causing the war. Gen. Hood replied, repelling the charge of harsh warfare by the Southern generals, declining to discuss any political questions, and declining also to accept the statement, that the exile of a whole people of a city at the point of the bayonet from their homes in the interest of the United States government, was a kindness. The whole number thus exiled was reported to be between 1,600 and 1,700 persons.

The policy of Gen. Sherman was a severe one, but it was based upon the philosophy that war is a cruelty, and he drove to results unsparingly. The exile of the whole people, and the destruction of the city afterwards, were evidently parts of his plan, which had the military merit, whatever may be said of its humanity, that it gashed the Confederacy to death and ended the war in favor of the North.

Gen. Beauregard was assigned to the command of the Department including Georgia. He visited Gov. Brown at Milledgeville, and received an ovation from the people, to whom he made a brief speech expressing his belief that Sherman could be driven from Georgia in sixty days if the absentees would return to the army Gen. A. R. Wright was ordered to Georgia and placed in command at Augusta. Gen. Hardee was ordered to Charleston and placed in charge of the coast.

A convention of the Governors of Georgia, Virginia, North Carolina, South Carolina, Alabama and Mississippi, was held in Augusta on the 25th day of October, 1864, when resolutions of Gov. William Smith were passed, expressing confidence in the success of the cause, and pledging to the soldiers in the field every effort to increase our armies; and also recommending the passage of certain measures to aid the present prosecution of the war.

Early in October President Davis, accompanied by Hon. Benjamin H. Hill, visited Georgia. During all of these trying days Mr. Hill was in close counsel with Mr. Davis, affording him a hearty co-operation and sympathy. It was a coincidence at once interesting and suggestive, that the main props and opponents of the administration's policy were Georgians. Before the removal of Gen. Johnston, Mr. Hill had made a visit to him as a quasi-representative of Mr. Davis. On the visit in

October, 1864, Mr. Hill was with him, and they spoke together. At Macon, Mr. Davis made a speech, to which Gov. Brown makes reference in his last letter to Mr. Seddon in the correspondence about the State militia heretofore given. Mr. Davis gave a gloomy view of matters in this noted speech. He stated that two-thirds of the Southern armies were absent from duty. He also called the retreat from Dalton a "deep disgrace." He declared the man who charged that he had abandoned Georgia a "miserable man" and "a scoundrel." In that unconquerable spirit which belonged to this most heroic man,—the very type and incarnation of dauntless courage—he urged the people not to despond. But in spite of this resolute spirit that breathed from him unquailingly, his speech did infinite harm. It encouraged the foe and chilled our own people. The revelation was impotent for good. The tone of Mr. Davis was damaging to our cause. It was a sour, spiteful utterance, that showed deep concern and unpoised irritability. It was the anguish of a conscientious soul over calamity to cherished hopes.

Mr. Davis had noble qualities and was a great man. He had many of the requirements of his terrific position—his overwhelming trust. But yet he was not the man as a whole for it. He was brave, able, honest, loyal, firm. The heroic element in Davis was great. His intellect was of uncommon power and culture. Mr. Davis was an orator, a statesman, a general, a patriot. He was intelligent and conscientious. But he lacked mobility. He was a man of stubborn prejudices and a jagged temper. The diplomacy of statesmanship he knew not at all. He had a large faculty of making enemies. He was not a wise man. He lacked great common sense. He obstinately clung to useless and unavailable instruments. His resentments potently and yet unknowingly governed his action. He was a singular blending of the true and the unwise. Mr. Davis did not seem to learn anything from his mistakes. All men make blunders, and most men profit by them. He profited nothing. He clung intrepidly to his errors. He showed a sublime tenacity in adhering to unpopular and unsuccessful recipients of his confidence. But it is undeniably true that the Confederacy had than he no higher symbol of unvanquishable courage, constitutional principle and exalted patriotism.

Mr. Davis and Mr. Hill went to Hood's head-quarters, and the result of the conference of the President with the General of this priceless army was that in a few days Hood started on that ill-fated expedition into Tennessee which ended in the annihilation of the army. And Sherman was free to go on his "March to the Sea," which gave the death-

blow to the Southern Confederacy. Georgia stuck grimly to her fateful potency in the revolution. It seemed out of the range of possibility to thwart this remarkable destiny.

Another conspicuous instance of Georgia's extraordinary and controlling agency in this war, was the appointment of that distinguished Georgian, Gen. A. R. Lawton, to the head of the most important practical branch of the war department, the Quartermaster's. Gen. Lawton took charge as Quartermaster-General in August, 1863, and continued to perform the stupendous duties of that responsible office until the surrender. He was a South Carolinian by birth, a graduate of West Point, and served in the 1st Regiment of U. S. Artillery for eighteen months on the frontier of the British Provinces. Resigning he became a lawyer, graduating at Harvard Law School, and settled in Savannah. He has been one of the acknowledged leaders of the Georgia bar, conducting many of the most important cases in the Supreme Court of Georgia, some of them having been carried to and argued in the Supreme Court of the United States.

As has been stated, he was Colonel of the only Volunteer Regiment in Georgia when the war begun, and seized Fort Pulaski under Gov. Brown's orders. He retained command in Savannah under state commission until in April, 1861, he was commissioned Brigadier General in the Confederate army and assigned to the command of the Georgia coast until June, 1862, when at his own request he went to Virginia with 5,000 men of his command that Gen. Lee called on him to send. Gen. Henry R. Jackson had turned over to him his superb division of State troops, and he had over 12,000 men under him at one time.

In Virginia his service was brilliant and honorable. He joined Stonewall Jackson in the Valley, and returned with him to make the flank movement against McClellan and take part in the seven days' fight around Richmond. His Brigade was the largest in Gen. Lee's army and bore a conspicuous part, losing heavily in the battles of Cold Harbor and Malvern Hill. When Ewell was wounded at 2nd Manassas he took charge of that officer's division, which he commanded at Chantilly, Harper's Ferry and Sharpsburg. He was seriously wounded at Sharpsburg and his horse killed. He was disabled until May, 1873, when, though still lame, he reported in person for duty to the Adjutant General in Richmond. Under Gen. Lawton's command the Ewell division made a glowing record. The Richmond press declared it had "covered itself with glory."

Before Gen. Lawton reported for duty in May, 1863, the Confederate

A. R. LAWTON,

QUARTERMASTER-GENERAL, C. S. A.

congress had conferred additional rank on the office of Quartermaster-General, and thus gave the President the opportunity to confer that rank on the officer then at the head of that Bureau, or to assign some General officer to the discharge of its duties. The President and Secretary of War decided to assign General Lawton to that position. He objected strenuously to the assignment, declaring that he had entered the service for duty in the field, that he had no experience whatever in bureau service, and that the resources at the command of the Quartermaster-General were so reduced that no hand new at the business could reorganize it with success. His objections were such as to cause a delay of two or three months in ordering him to that duty. When it was pressed upon him a second time, President Davis said that he considered the position one of such importance to our success that there was no man, of any rank whatever in the Confederate service, save only the commanders of the two great armies, whom he would not withdraw from the field, and assign to that duty, if he could find the person who was best fitted for it. Under these circumstances Gen. Lawton was ordered to the head of that Bureau, and took charge of it in August, 1863, and continued to perform its great and invaluable duties until the close of the war.

This assignment was a strong tribute to this distinguished officer, and it curiously continued the masterful instrumentality of Georgia in the revolution. The responsibilities thus assumed by Gen. Lawton were appalling. The Quartermaster's department had charge of all field and railroad transportation over the whole immense theater of war, including the furnishing and foraging of horses for all branches of the service; it furnished all buildings, tents, and camp and garrison equipage, even to cooking utensils; all the clothing of the army; and was charged with the payment of the troops. Its supervision extended from the Potomac to the Rio Grande. Railways, destroyed by the ravages of war, had to be kept in condition for transportation in a country practically without iron, without locomotive works or rolling mills. Horses had to be furnished for all the exigencies of war, within a territory which had never supplied one half the demand, even for farming purposes and pleasure riding. Clothing had to be created where there were not wool and leather enough within the territory at our command for a complete outfit for twelve months. These were some of the vast difficulties to be overcome.

A prominent Englishman, near the close of the war, remarked that it was easier for his people to understand how one man, suffering under wrongs and injuries inflicted, could meet and vanquish two or even three, than it was for them to understand how we made one horse serve the

purpose of three, and one pound of iron, or leather, or wool, perform the service of three. These great difficulties were met by Gen. Lawton, our capable and resolute Georgian, with an unsurpassable tact and energy. His enterprise and resources were boundless. While the papers of Richmond especially, and of other places, were constantly declaring against and finding fault with the other supply departments of the government, not one word of censure was ever written against the administration of the Quartermaster-General's office while Gen. Lawton was at the head of it. This constitutes remarkable testimony to the efficiency of his administration of this stupendous duty, for he had in the very nature of things to refuse five applications where he could grant one, so limited were our resources and so great the wants. It was a colossal responsibility nobly borne.

Nor were his difficulties lessened by the fact, that nearly every one of the appointments to office were made under the administration of his predecessor, and therefore he had to deal with the personelle of a department which he had no hand in selecting. He availed himself of every opportunity to diminish the number of Quartermasters, and steadily refused to increase them. He had to transport nearly all of the food and horses of Gen. Lee's army a distance of six to eight hundred miles by land, a thing never before accomplished in the history of war. Perhaps the most striking case of prompt transportation on worn-out railroads that ever occurred, was the transfer of Longstreet's Corps from the Rapidan in Virginia to the Chickamauga in Georgia, in time to change the results of that bloody battle of the "River of Death." Gen. Lee had a long and serious interview with Gen. Lawton about sending that corps away, it being a most critical moment, and he feared that the absence of these troops might expose his army to great danger, while they might be too late to help Bragg. Gen. Lawton had all the calculations made, based upon our resources, and promised to land this corps at its destination by a certain day and hour. The corps reached it twelve hours before the promised moment. Gen. Longstreet's corps had quite a sprinkling of Georgia troops. It was a striking coincidence that the administrative genius of this Georgia Quartermaster-General in the extraordinary movement of this body of troops, composed to a considerable extent of Georgians, should have given to the Confederate arms on Georgia soil one of the greatest victories of the war. Gen. Sorrell, Adjutant-General to Gen. Longstreet, expressed the opinion that this feat of transportation was one of the most successful of the revolution.

There were many brilliant features of Gen. Lawton's administration of this great department—features marked by that fine, discriminating judgment that constitutes one of the most essential qualities of executive capacity. He found that most of the factories had been stranded by the irregular and arbitrary manner in which the government had taken control of their wares. He first appointed inspectors to visit them all and ascertain their resources, capacity and probable results. They were then required to sell only a certain portion to the government, leaving them free to sell the rest to the people, so that they could procure the money, or other things by barter, necessary to keep them running. Thus was avoided the danger of killing the goose that laid the golden egg. The same course was pursued as to leather and other articles required for the army.

In this connection every Georgian will take pride in the fact, which also runs in the line of our State supremacy to which so many allusions have been made, that the city of Columbus, Georgia, furnished more manufactured articles of every kind to the Confederate Quartermaster's department than any place in the Confederacy except Richmond, which had all the protection and fostering care of the government. This superiority was not relative, according to population; but absolute, producing more clothing, shoes, hats, cooking utensils, axes, spades, harness, etc., etc. Gen. Lawton found that clothing and other articles coming to us through the blockade were at once distributed and consumed under the orders of commanders controlling the ports where they arrived; and of course those in "safe places" got the lion's share. This was all stopped, and every bale of cloth, box of shoes and other supplies were put under the exclusive control, on arrival, of the Quartermaster-General, and thus they reached *the men in the field.*

Every branch of this vast and varied department was thus systematized, improved and more economically administered by this clear-headed, capable, positive Georgian, and from the civil and military heads as well as the armies and people, there was a continuous and universal approval of his masterly régime.

The Quartermaster-General did not hold money or property; not being a bonded officer, no funds were placed in his hands by the Treasury department, and he never receipted for any property. The confusion of the surrender found him with nothing left in his charge, but the records and papers of the Bureau, which were all destroyed in the great fire at Richmond on the day of the evacuation.

Perhaps nothing can demonstrate more vividly the stress of the

Southern cause in the last days of the conflict, and the desperate purpose of its defenders to succeed than the following extraordinary document, which not only urged the enlistment of negro soldiers, but proposed to take colored recruits into white regiments. Gen. Lee and Gen. Cleburne favored the policy of negro soldiers, but the people, the armies and the leaders, were against. Public sentiment was so much opposed to this method of recruiting our armies, that it was never done. The objections offered to it were two-fold—that it would take away the laborers from the field who were raising provision to feed the soldiers, and it was equivalent to practical emancipation. But as large numbers of the colored men were enlisted in the Federal army and fought against us, it is a grave question whether it would not have been wise to have thus utilized the blacks, offering them freedom for their service. Whether it would have had any appreciable effect upon the result is a matter of speculation. The experiment was not tried on the Southern side of the struggle, and the failure to make it was a conspicuous example of the strength of sentiment in directing an immense practical matter.

"CAMP 49TH GA. REG.
Near Petersburg, March 15, 1865.

"COL. W. H. TAYLOR, A. A. G.:

"*Sir:* The undersigned commissioned officers of this regiment, having maturely considered the following plan for recruiting this regiment, and having freely consulted with the enlisted men, who almost unanimously agree to it, respectfully submit it, through you, to the Commanding General for his consideration.

"FIRST, That our companies be permitted to fill up their ranks with negroes to the maximum number under the recent act of Congress.

"SECOND, That the negroes in these counties of Georgia, from which our companies hail from, be conscribed, in such numbers and under such regulations as the War Department may deem proper.

"THIRD, That after the negroes have been so conscribed, an officer or enlisted man from each company be sent home to select from the negro conscripts such who may have owners, or may belong to families of whom representatives are in the company, or who from former acquaintance with the men, may be deemed suitable to be incorporated in those companies.

"For the purpose of carrying out more effectually and promptly the plan, as indicated under the third head, it is respectfully suggested that each man in the regiment be required to furnish a list of relatives, friends or acquaintances in his county, of whom it is likely, that negroes may be conscribed, so as to facilitate the labors of the officer or man who may be detailed to bring the negroes to the regiment.

"When in former years, for pecuniary purposes, we did not consider it disgraceful to labor with negroes in the field or at the same work-bench, we certainly will not look at it in any other light at this time, when an end so glorious as our independence is to be achieved. We sincerely believe that the adoption throughout our army of the course indicated in the above plan or something similar to it, will ensure a speedy

availability of the negro element, in our midst for military purposes, and create or rather cement a reciprocal attachment between the men now in service, and the negroes highly beneficial to the service, and which could probably not be otherwise obtained.

We have the honor to be, very respectfully, your obedient servants,

"J. T. JORDAN, Colonel,
J. B. DUGGAN, Major,
M. NEWMAN, Adjutant,
L. E. VEAL, First Lieutenant Co. A,
L. L. WILLIAMS, Captain Co's B and G,
J. F. DUGGAN, Captain Co. C,
L. M. ANDREWS, Captain Co. D,
C. R. WALDEN, Lieutenant Co. E,
A. G. BROOKS, Lieutenant Co. F,
S. J. JORDAN, Lieutenant Co. H,
WM. T. MULLALY, Captain Co. I,
R. S. ANDERSON, Captain Co. G."

"HEAD-QUARTERS THOMAS BRIGADE,
March 18, 1865.

"Respectfully Forwarded: Approved.

"EDWARD L. THOMAS, Brig. Gen."

"HEAD-QUARTERS WILCOX'S LIGHT DIVISION,
March 21, 1865.

"Respectfully Forwarded: Believing that the method proposed within is the best that can be adopted.

"C. M. WILCOX, Maj. Gen."

"HEAD-QUARTERS, THIRD CORPS, A. N. VA.
March 22, 1865.

"Respectfully Forwarded: The plan proposed is commended as worthy of attention and consideration.

"H. HETH, Maj. Gen. Comd'g."

"Respectfully Returned: The Commanding General commends the spirit displayed by this regiment. The plan of organization which has been regarded most favorably, proposed a consolidation of the regiments of ten companies as they now exist, into six companies, and that the regimental organization be maintained by attaching to the six thus formed four companies of colored troops. Each regiment would then preserve its identity.

"Perhaps this plan would be equally as acceptable to the 49th Georgia Regiment.

"By command of Gen. Lee.

"W. H. TAYLOR, A. A. G.

"March 27, 1865."

This novel and earnest document is an historic curiosity, a brave, practical, patriotic paper, that will have a vital interest in all annals of this great war. Gen. W. S. Walker, now living in Atlanta, urged the policy in 1863 and 1864, and made the prediction, that the measure would be proposed when it would be too late.

CHAPTER XXX.

SHERMAN'S PEACE EFFORT AND FAMOUS MARCH TO THE SEA.

The First Attempt at Peace.—Gen. Sherman its Author.—Georgia Keeps up her Momentous Play in the War.—Gov. Brown and Alex. Stephens.—Mr. Lincoln Looks with Interest.—Joshua Hill.—Judge A. R. Wright.—Hood's Fatal Tennessee Programme.—Sherman's Peril Ended by Confederate Folly.—Georgia Gashed.—"Smashing Things."—Atlanta Destroyed.—Milledgeville Captured.—Gov. Brown and Gen. Ira Foster.—The Convict Soldiers.—The Cabbage Calumny upon Gov. Brown Corrected.—The Cadets.—Battle of Griswoldville by Joe Brown's Militia.—A Dreary Narrative of Ruin.—Union Sentiment Stamped Out.—Fort McAllister Taken.—Hardee Leaves Savannah.—The March to the Sea Ended.—The Death Blow of the Southern Cause.—Georgians out of the State.—Olustee and Alfred H. Colquitt.—Gen. J. B. Gordon.—The Georgia Militia at Honey Hill.—Gen. Ranse Wright.—Two Governors.—The Legislature.—Gov. Brown's Message.—State Property.—Our Indigents.—Our War Millionaires.—Fabulous Prices.—Bewildering Aspects of the Pending Downfall.

IMMEDIATELY after the capture and occupation of Atlanta, Sherman conceived and attempted the execution of an idea, that if he could have carried into operation, would have ended the war much earlier. When the history of our great civil war comes to be written, one of the most interesting chapters will be the account of the episode here referred to, the first effort that was made at peace. Gen. Sherman, as has been stated, was the author of this attempt, and Georgia was both the theater and object of his endeavors. The event was a continuation of Georgia's momentous play in the war. She appeared fated to figure in every possible rôle.

The facts of this important peace movement show it to have been subtly conceived, important in its results of possibility to the conflict and eagerly watched by Mr. Lincoln, the President of the United States. Gen. Sherman, in his Memoirs of the War, makes brief allusion to this peace matter, but he gives such meager details that the interest and curiosity of the reader are only whetted for fuller information. By an accident the writer's attention was called to it, and by direct application to all the parties connected with it, including Gen. Sherman, Hon. A. H. Stephens, Vice-President of the Confederacy, Gov. Joseph

E. Brown, Hon. Joshua Hill, Judge Augustus R. Wright and Mr. William King, the full particulars of this striking and valuable episode of the great war were obtained.

Gen. Sherman knew that Mr. Stephens, the Vice-President of the Confederacy, had so differed from Mr. Davis and his advisers as to leading measures of his administration, that he took no share in the direction of affairs, and seemed to be in no sort of active connection with the ruling powers. He opposed conscription and favored the government buying up the cotton crop and sending it to Europe to be used as a basis of supply of munitions and recruits. Gen. Sherman also knew of Gov. Brown's controversies with the Confederate authorities, that had culminated in what seemed an embittered antagonism. These powerful public men were known to represent a large and popular sentiment in Georgia.

In this state of things, the main cause discouraged, the Confederacy riven into fragments, Georgia half overrun, and her leaders—many of them—believed to be disaffected, and with the prospect of a complete devastation of the Commonwealth imminent, Gen. Sherman, with that prolific fertility of resource and ready discernment of opportunity that belonged to the man, seized the occasion to strike what, if it had been successful, would have proved a powerful blow for the Union. It was practically the attempt to eliminate the powerful state of Georgia with her large forces from the opposition, and at one stroke to have bloodlessly disintegrated the Confederate cause. If Georgia, through her Governor and his coadjutor in the work, the second officer of the Confederacy, had withdrawn Georgia from the war, or even induced her to take the resolute initiative in peace, the great struggle would have been practically ended.

Gen. Sherman, in his dispatch to President Lincoln, states his high hope in the matter, and the tremendous importance that he attached to the movement when he says: "I am fully conscious of the delicate nature of such assertions, but it would be a *magnificent stroke of policy* if we could, without surrendering principle or a foot of ground, arouse the latent enmity of Georgia against Davis." And Mr. Lincoln, in his response, said: "I feel great interest in the subjects of your dispatch." And when later Mr. Davis made his visit to Macon and Hood's army, Mr. Lincoln believed, as he telegraphed to Gen. Sherman, that the object of Mr. Davis' visit was to see Mr. Stephens and Gov. Brown, to stop the peace mischief that Gen. Sherman had inaugurated with those two dangerous gentlemen. Gen. Sherman's idea was to appeal

to Georgia's safety from further war ravage and work it through officials supposed to be hostile to the Confederate administration. No less than three messengers were sent by Gen. Sherman. Mr. William King was his ambassador to both Gov. Brown and Mr. Stephens. Judge A. R. Wright, of Rome, was sent to Washington, to talk with President Lincoln, and by him entrusted with messages for Mr. Davis. Hon. Joshua Hill, of Madison, Ga., was sent as messenger to Gov. Brown. Mr. King was a citizen in private life, an elderly gentleman of high character, old family, fine intelligence and unquestionable patriotism. The other gentlemen have been spoken of in this volume.

The fundamental idea of Gen. Sherman was separate State action of Georgia; and herein was its intrinsic weakness. As much as Mr. Stephens condemned the policy of the administration of his Executive—Mr. Davis—and as antagonistic as Gov. Brown felt to certain leading measures of the Confederate authorities, neither of them was capable, in any stress of disaster, and under any possession of State influence, of deserting the fortunes of the Confederacy and leaving the other members of the compact to bear the calamities of failure. While it was simply an impossibility that the soldiers or people of Georgia would have been willing to purchase exemption from the common peril and universal ruin by abandonment of the cause, thus securing safety by dishonor. And both Gov. Brown and Mr. Stephens, from their very supposed attitude of disaffection and hostility to Mr. Davis, were necessarily the more careful in their conduct that no possible suspicion of bad faith should attach to them.

Both Mr. Stephens and Gov. Brown declined to accept Gen. Sherman's invitation to visit him on this peace mission. Mr. Stephens considered that neither he nor Gen. Sherman had the proper authority to represent and bind their respective governments, though if Gen. Sherman should think that there was any prospect that he and Mr. Stephens could agree upon terms of adjustment to be submitted to the governments, he would, with the consent of the Confederate authorities, meet him and enter upon the task of restoring peace. This reply of Mr. Stephens dissipated the idea that he would act in the slightest degree independently of Mr. Davis and take part in a separate negotiation by the State.

Gen Sherman, in his dispatch to President Lincoln, discloses the agency he hoped Mr. Stephens would play in this shrewdly conceived peace project, in these significant words: "The people do not hesitate to say, that Mr. Stephens was and is a Union man at heart; and they say that Davis will not trust him, or let him have share in his govern-

ment." Mr. Stephens, by his reply, completely dropped himself out of the project. Gov. Brown was unwilling to enter into any negotiations involving separate State action. His dismissing the State militia for a time to go home and harvest the crops, and his calling the Legislature together to consider the critical state of affairs, impressed Gen. Sherman with the belief that Gov. Brown was leaning to the peace idea; that the temporary disbandment of the State troops was an initiatory movement in the matter, while he wanted the Legislature to share the responsibility. Mr. Davis made his visit to Georgia at that time, and so strongly had the peace plan of Gen. Sherman, by securing Georgia's disaffection through Mr. Stephens and Gov. Brown, seized and impressed Mr. Lincoln, that the President conceived and telegraphed Gen. Sherman: "I judge that Brown and Stephens are the objects of his (Davis') visit."

But Gen. Sherman and Mr. Lincoln were both mistaken. They misconceived Gov. Brown, who never for a moment entertained the idea of withdrawing Georgia from her Confederate alliance. It is due to him to say this, and it is also due to say that the people of Georgia would not have entertained such a proposition. They were committed to the Confederacy, and meant to rise or fall with it. There is no ground for believing, as Mr. Lincoln imagined, that Mr. Davis visited Georgia at that time to look after Mr. Stephens and Gov. Brown, and stop their supposed peace mischief. His mission was to confer as to the proper direction to be given to Hood's army in this critical juncture.

The peace mission was so important a one that Gov. Brown, at the time, made a note of the whole matter so far as he was concerned, which was published for the information of the people. His action involved an exceedingly able presentation of the question, showing that he gave the matter profound and conscientious reflection. That Georgia, in her sovereign capacity, had the right to withdraw from the Southern Confederate compact, not through her Executive, but through a convention of her people, he had no doubt. But while she possessed this power, she would never violate her faith pledged to her Confederate allies, never shrink from the suffering that fell to her lot, never make separate terms to save herself, and "whatever may be the opinion of her people as to the injustice done her by the Confederate administration, she will triumph with her Confederate sisters, or she will sink with them in one common ruin." Gov. Brown argued, that Gen. Sherman and he had no power or right to represent the government of the United States and the government of the Confederate States, or in any way bind them.

Hon. Joshua Hill, in his interesting and graphic account, gives

some valuable information, showing Gen. Sherman's desires, and also contributes convincing testimony as to the stubborn fidelity of the people to the cause. He made a strenuous effort to influence the Legislature to take some peace action, but could get no encouragement, and finally desisted. Gen. Sherman, however, began to doubt the possibility of success on his original idea of detaching Georgia from the Confederacy, and he widened his project to include broader negotiations and larger agencies. Here comes in Judge Wright, who was sent by Gen. Sherman to see President Lincoln, and, learning his pacific temper and views, convey them to Mr. Davis.

The version furnished by Judge Wright is a most important contribution to this peace narrative. He spent two weeks in Washington, conferring daily with President Lincoln and his Cabinet, and finally brought back to Mr. Davis messages of his willingness to enter upon peace negotiations. The report of Mr. Lincoln's views is wholly new, and is of incalculable value historically. Some of his statements will be a revelation, and must do great honor to his memory. Among the remarkable statements were, that "the South was a part of his country, and as dear to him as the North. He had never had an idea of interfering with her rights." Also, that "he then had his proclamation of amnesty written for the whole South, from Mr. Davis down to the humblest citizen, and though a part of his Cabinet was opposed to it, the day we laid down our arms it would be published, and the South restored to her rights in the Union as far as was in his power." Also, that he was favorable to a gradual emancipation of the blacks in twenty-one years. Mr. Lincoln's message to Mr. Davis was a very earnest one. Judge Wright says that Mr. Lincoln "extracted from him a solemn promise that his friendly sentiments and his earnest desires for peace on the basis of the rights of the States should be truly, fully and earnestly impressed upon Mr. Davis."

Judge Wright never had the chance of seeing Mr. Davis until after the close of the war, and the message was, therefore, not delivered. Judge Wright, however, told Mr. Lincoln that the peace mission would be hopeless. There is little doubt, in the light of subsequent events, that Mr. Davis would have refused to act on these messages. His unquenchable faith in the ultimate success of the Confederate cause, and his unbending resolution to make no compromise, would have been an insuperable barrier to any peace based upon the only idea upon which Mr. Lincoln was willing to close the war, viz.: the submission of the South to the Union.

Remembering that his peace effort was made in September, 1864, and that the celebrated Hampton Roads conference between Mr. Lincoln and Mr. Seward, of the North, and Mr. Stephens, Mr. Hunter and Judge Campbell, of the South, took place in February, 1865, five months after, it will be seen that Gen. Sherman's attempt at peace was the first that was made. The South, in 1864, was in a much better condition to negotiate peace than in 1865, and could have gained better terms. Mr. Stephens was engaged in both attempts. In his book, "The War between the States," he gives a full account of the Hampton Roads conference, and it is a matter of interesting significance that it is shown very clearly that Mr. Lincoln was governed by the same ideas of policy in both. The two peace efforts constitute a valuable and striking episode of the great struggle, and will form an important and suggestive chapter in the history of our civil war.

The matter at the time created a good deal of excitement in the public mind in Georgia. There was a varied comment upon it. Some claimed that it was the duty of Gov. Brown and Mr. Stephens to accept General Sherman's invitation, and make an effort to settle our troubles by negotiation. Others, though not many, in their flaming zeal, contended that it was the duty of the Governor to seize General Sherman's messenger and order him hung as a traitor. The prevailing opinion was that nothing would come of it. But the incident was another link in the chain of Georgia's governing influence in the great struggle, an influence that covered both the war-like and peaceful features of the revolution.

The final strategy of this ghastly Georgia campaign must look, far off in the cool, impartial future, like a terrible drama of tragic harlequinade. Hood did the very folly that Sherman would have prayed for him to do, had he been a pious man. As it was, the wily Federal said, "If Hood will go to Tennessee, I will give him rations to go with." Mr. Davis had most unwisely blazoned in his speeches to the dejected public this Tennessee programme. And as it reached Sherman he had thus spoken. With Forrest banging and gashing at his long line of communication, hundreds of miles, and a stout, solid, fierce army before him, he would have had a tough time. His fiat of exile for the city of Atlanta evidenced his sense of danger. To have stayed in Atlanta was unspeakably perilous. To have gone back would have yielded the good of his victory. To go forward was to cut loose from his base into the atmosphere like an anchorless ship. Sherman was deeply anxious. As he took Atlanta he made with a part of his force

a little tentative dash at Hood's entrenched line at Lovejoys, and recoiled, shivering. In this perplexing hour, Hood gayly bid adieu to Atlanta, and coquetting up the state road, capturing squads at Big Shanty, Acworth and Dalton, and destroying a respectable amount of railway track, skipped into Alabama, and thence into Tennessee. Sherman sent off Thomas to care for Hood, took a little scout himself in that direction, satisfied himself that Hood had really gone blundering, and stripping himself to about 60,000 men, he started for the Atlantic Ocean.

He began his easy but destructive march on the 15th day of November, 1864. Spreading out his columns to a width of about forty miles, foraging his army as he went along, tearing up every mile of railroad track, gutting villages, cleaning up provisions, pillaging houses, destroying furniture, gathering hordes of negroes to be dropped, the jaunty, massive column left a blistering devastation for three hundred miles upon the fair bosom of our noble state. In the writer's temporary home in Sandersville a piano was butchered to fragments, books and pictures destroyed, and for days the female inmates of the household lived upon corn gathered from where the horses of the Federal troopers had been fed. In his dispatches to Gen. Grant about this movement Sherman foreshadowed the desolation in such expressions as "utter destruction of roads, houses and people," "make Georgia howl," "make a wreck of the road and of the country," "smashing things to the sea," "make the interior of Georgia feel the weight of war," and "ruin Georgia."

There was no opposition to speak of. The strange spectacle had been seen of two great armies in deadly tug, deliberately leaving each other, and marching in opposite directions to conquer the fight. A division of Wheeler's cavalry pegged away on the advancing column. At Macon, Gen. Cobb went out and rattled with a division of the Georgia militia at the huge serpent. At Griswoldville, ten miles below Macon, there was a bloody little fight between Sherman and our Georgia militia, in which these troops fought with the gallantry and skill of veterans, inflicting heavy loss and suffering severe punishment with steady nerve. In Burke county there was some sprightly but ineffectual brushing. But Sherman went on flipping off these attacks with unconcern. Our little force kept the thing lively in proportion to numbers. Sherman reports 764 men lost on the march, and 1,338 captures of Confederates.

The incidents of this march were dramatic in their destructiveness.

Atlanta was fired, and Sherman marched out amid the crimson flames of the city and a volley of exploding ammunition that sounded like a desperate battle, his men singing, "John Brown's soul goes marching on." Of about 5,000 houses all were destroyed except about 400. Eleven-twelfths of the place, shops, depots, mills, dwellings, stores, were burned. A few stores on Alabama street were left. The residences between Lloyd and Washington streets were left, and most of the churches, thanks to Father O'Riley of the Catholic church. Three thousand carcasses of animals lay in the streets. The very dead were taken from their vaults and the coffins stripped of silver tippings. Gen. Sherman had his headquarters one night on Howell Cobb's plantation, and on learning the fact ordered the soldiers to spare nothing.

On the 23d day of November, 1864, the legislature of Georgia, being in session, Gov. Brown received a telegram during the dinner hour that General Sherman had left Atlanta the day before and was on the march through the country for Savannah. As soon as this information was spread through the town, the people became greatly excited, and the members of the legislature, who had adjourned for dinner at the time, participated in the excitement, and began making preparation for a rapid transit from the Capital, as it was not known how soon the cavalry, who were supposed to be a good way in advance of the army, might reach Milledgeville. The bills and other matters before the General Assembly at the time it adjourned for dinner, were left lying on the desks and no one returned to look after them. Fabulous prices were paid for conveyances of different sorts; and the members during that afternoon had nearly all left the Capital on their way home with the best means of conveyance at their command, taking such routes as in their opinion could not be interfered with by the invading army. Some took the railroad trains; others got carriages, buggies, wagons or whatever else came in their way. This left the city almost destitute of vehicles for transportation.

Soon after Gen. Sherman's movements were known, Gov. Brown gave orders to Gen. Ira R. Foster, the prompt and efficient Quartermaster-General of Georgia, to secure the removal of all the most valuable perishable property of the State then at the Capital, consisting of books of record in the State House, the more valuable furniture there, the furniture from the executive mansion and the property of the most value in the penitentiary, arsenal, armory, and in the Quartermaster and Commissary departments. Herculean efforts were made by the Quartermaster-General to procure transportation and convey the public property

to places of safety as rapidly as possible ; and no one was better qualified for the task than General Foster, as he had ability, promptness, decision and dispatch in such matters, that were very remarkable. Upon consultation with the Governor it was concluded that the more valuable books of the library and other such property should be carried to the lunatic asylum and there stored. But as the asylum was located some three miles from the city, with the limited transportation at command, it was impossible to carry there within the short time allowed all the other public property. It was known of course that General Sherman would not burn the lunatic asylum, and it was supposed that State property stored in it which could in no way be used for forwarding the purposes of the war would be safe. On further consultation it was concluded that it would be best to haul the bulk of the public property of the character above-mentioned, and all the more valuable property of the State in the city to the railroad depot and try to get it to Macon, before the railroad should be cut, and shipped to south-west Georgia, as it was believed that neither the cavalry of the enemy nor the infantry would likely traverse that country. Part of a train of cars was detained at Milledgeville for that purpose, and other cars in reach were ordered to be sent there promptly. The property was then hauled rapidly to the railroad and loaded on the cars. But as very few wagons could be obtained, and there was great consternation in the city, it soon became next to impossible to procure labor.

Here the Quartermaster-General again consulted with the Governor, who was doing all in his power to aid in the removal, and the Governor informed him that he had determined to pardon the convicts in the penitentiary, and put them under command of the Quartermaster-General for the time, to aid in removing the property of the State to a place of safety, and that he would pardon each who would enlist in the State service, and thus try to turn them to the advantage of our cause instead of leaving them for Sherman to use against us. As we were making guns in the penitentiary, it was expected that it would be burned; and if the convicts were in the walls when Gen. Sherman reached there they would either be turned loose for indiscriminate plunder or enlisted in the Federal army. To avoid this Gov. Brown determined promptly on the policy of enlisting them in the State service for the benefit of the Confederacy. He went immediately to the penitentiary, had the convicts drawn up in a line, delivered a short address to them, appealing to their patriotic pride, and offered pardon to each one who would aid in the removal of the State property, and then enlist for the defense of the Con-

federacy. They responded almost unanimously. There were a few life-time men in for murder, who were not included in the offer, and they were sent through the country under guard to a point where they could be shipped on the railroad to South-west Georgia, where they were kept till after Sherman passed through and were then brought back and confined in Milledgeville. But the great body of the convicts were formed into a military company under the notorious Dr. Roberts, who was a very intelligent man, and who promptly volunteered, and in that capacity they did valuable service in aiding to remove the State property, and loading it upon the train. As soon as this service was done, a suit of soldier's clothing and a gun were furnished to each, and Captain Roberts was ordered to report to Gen. Wayne, who had command of the Georgia cadets, from the Military Institute, at Marietta, then in Milledgeville, and a small battalion of other militia. The company was accepted by Gen. Wayne, and carried by him to Savannah, on his retreat in advance of the Federal army, and they were used in annoying it wherever Gen. Wayne saw an opportunity to strike a blow. A portion of the convicts deserted and left, but a large majority of them, including Capt. Roberts, remained at their post doing duty faithfully during the campaign; so that the discharge became honorable.

As already stated, the members of the legislature generally left the city on the afternoon of the 23rd day of November, 1864. Gov. Brown and family, and Gen. Foster, and Gen. Wayne, and some of the other heads of the departments remained in the city until the next afternoon. All the more valuable property of the State had been secured either in the asylum or sent to safe places or loaded upon the cars ready to be removed to South-west Georgia. In the State House the old files of documents and letters for the last half a century or more, which were not regarded very valuable and could not be assorted and taken care of in the limited time, were left in their respective places of deposit. After Gen. Sherman had passed through Milledgeville, and the officers of the State were permitted to return, they found these papers scattered all over the floor of the State House; and as reported by the citizens, large quantities had been used by the soldiers in kindling their fires. In this way many of the old documents, and many of the papers that were filed were destroyed or lost, though they were generally of a character not deemed to be very valuable; and the time, and means of transportation were not sufficient to enable the authorities to care better for them.

The furniture in the Executive Mansion was the last thing attended to. During the afternoon the more valuable and portable portion of it

was removed as rapidly as possible to the railroad depot and placed on the trains. The scene was a busy and an exciting one. During the twenty-four hours the Governor and the Quartermaster-General remained in the discharge of their duty, in taking care of the public property; their efforts were untiring. A letter addressed by Gen. Foster to a friend in this city at a recent date draws the following picture of the scene:

"I have oftentimes thought of the scenes through which we passed in getting ready to leave Milledgeville on Sherman's descent on that ancient but memorable city of hills. In this drama, I see a man serving his fourth term as Governor of the Great Empire State of the South, after giving orders to his Quartermaster-General on the near approach of the enemy, and putting him in charge of the public property with direction to see that it was taken care of and removed, reversing the order of things by laying hold with his own hands and working both day and night under the direction of his subordinate to secure a fulfillment of his general orders. And I see by his side a delicate but anxious wife, unceasingly laboring to accomplish the same end. Notwithstanding this, it has been printed in a book and published in newspapers, and reiterated by many misguided tongues, that Gov. Brown, while Sherman's army was descending on Milledgeville, carried off his own property, including cows and cabbage, and left the State property behind unprotected. I was in command of the transportation of the property at the time, and I know whereof I speak and I know these statements are unfounded. *I know they are untrue.* I ought to know more about the taking care and the protection and the removal of the State property at Milledgeville than any one else, as I was there in person and had immediate supervision, with the entire control of the whole thing under my own command.

"It is true that some of the old papers were left in the State House, which, if I had had further time, would have all been removed. But the fates of war denied me the desired privilege. The removal of the furniture from the Executive Mansion was the last work. In looking around the mansion to see what ought to be taken along, I discovered in the garden a fine lot of coleworts, and I directed old Aunt Celia, the good old colored cook, without the knowledge or presence of her master or mistress, to cut down the coleworts and bring them near where the wagons were being loaded. I intended to take away the last one of them, as they would be lost where they were, and I had sufficient room in the car to carry them. And I knew the Governor's family would need some, and my own family, then at Dawson, in South-west Georgia, as Refugees driven from their home in Atlanta before the fierce march of Sherman, would like to have part of them, as they were in a strange country and had no time to raise vegetables, and were much pressed for food of that character.

"I had also, at the Exile camp, near Dawson, seven hundred persons, composed of the widows, wives and children of Confederate soldiers, aged men and maimed and discharged soldiers, who had been expelled from Atlanta by Gen. Sherman, homeless and without food. Under Gov. Brown's orders they had been picked up from the line of railroad from Atlanta to Macon, and shipped to Dawson, where I had erected nearly one hundred houses in which they were sheltered and fed at the expense of the State, under the immediate supervision of Capt. Milton A. Candler, who did his whole duty in their behalf. To these homeless sufferers I intended to give most of the coleworts; but in

this I was disappointed. As I was having the last load of furniture at the Executive Mansion placed on the wagons, a few moments after I had given the order to Aunt Celia to cut the cabbage, Gov. Brown received information by telegraph, that Sherman's cavalry were making rapid advances towards the Central railroad, between Milledgeville and Macon. This message admonished us that we should be up and off, else we might find ourselves prisoners of war. So I had only a few cabbage which were cut and carried to the gate by Aunt Celia, thrown on top of the load. Teams were hurried to the train, wagons quickly unloaded on cars, leaving, for want of time to save them, almost the entire lot of fine cabbage standing in the garden. Steam being up, orders were given the engineer to sound his whistle and press for Macon with all possible speed. It is presumable we probably made the trip quicker than it was ever done before by any engine on that particular road. At Gordon we stopped a moment to bid farewell to Gen. Wayne and his staff, who had transportation to carry them down the Central railroad, with orders to do all in their power to protect the railroad bridge. The State Cadets, a noble band of boys, was under Wayne's command.

"A very short time only was spent at Gordon, when the train conveying the Governor and family, the Quartermaster-General and his assistants, and a large amount of state property and furniture was on its way under a full head of steam for Macon, where we arrived just before dark. And on reaching Macon a telegram was handed Gov. Brown, stating that the Federal cavalry had just cut the road at Griswoldville, the next station below. The advanced cavalry must have been almost in sight of Griswoldville when the train passed.

"We remained in the cars that night at Macon. Next morning I went down to South-west Georgia with the train; and as Sherman's infantry had not reached Macon, and it was understood they would not before that evening, Gov. Brown ran down with us as far as Montezuma, where his family were set off by the side of the road, and left to make their way to his plantation, thirty miles from that point in Dooly county. He took an engine and returned upon it rapidly, that evening, to Macon, and reached there, as I am informed, just as Sherman's column, passing by, fired upon the militia. The engagement amounted to very little. The militia were entrenched, and it was not Sherman's policy to attack localities on the lines of his march. His desire was to get through to the sea with as little delay and as little difficulty as possible.

"While we were switched off on a siding at Montezuma, a hurried dinner was prepared, and while eating dinner aboard the cars I said to Mrs. Brown, she ought to have had for dinner some of our Milledgeville greens. This was the first time I had named to Gov. Brown or to his wife that I had cut and put on the train any of the coleworts from the garden in Milledgeville. I doubt that any member of the family knew up to that time that a small number of the coleworts which I had secured were on the train, as the family had left the mansion for the train before the last wagon left that carried the coleworts out and put them upon the cars. Aunt Celia knew that she had cut and loaded a small lot in the yard; but as she had gone with the family into the train, she did not know that they had been transported to the train.

"I have been thus particular in giving the whole facts, as there was much merriment made over the cabbage story at the time, and much injustice done Gov. Brown, who was in no way responsible for the removal of the few that we carried, and knew nothing whatever about it until after it was done."

At Gordon the following incident occurred. Gov. Brown's eldest

son, Julius, a lad sixteen years of age, was a member of the cadets, and got aboard to tell the family good-by. The Governor said to him that he must remain at Macon with the troops; that there was no one to go with his mother and little brothers and sisters to South-west Georgia, and he had better go with them. The youth said he would obey, but he would rather die than to do it, as he was unwilling, under any circumstances, to leave the cadets, or fail to share with them the common danger. The governor told him to go and do his whole duty; some provision would be made for his mother and the children. He went forward with the cadets, and they were placed by Gen. Wayne to guard the Oconee bridge a day or two after, on the advance of the army, where they had a sharp engagement with the enemy; and one of the cadets was shot down by young Brown's side. They drifted down before Sherman to Savannah, and there reported to Gen. Hardee, and were carried across into Carolina. And this gallant little band of youths did good service as soldiers during the campaign. They were finally returned to Augusta, where they arrived almost naked and half starved. Major G. C. Connor, in charge of some state stores there, furnished them with a suit of clothes apiece; and after their arrival at Augusta they had the necessary rations. Among them were many of the best youths of the state, belonging to some of the most respectable families. They were a gallant and faithful little band.

Gen. Beauregard, from Corinth, Ben Hill and our Confederate Congressmen in Richmond, sent dispatches to the people to destroy the enemy, to be firm, to fly to arms, to burn everything they could not remove, which the Federal officers read in papers, captured at Milledgeville and ridiculed unmercifully. In the old State house the Federals held a mock legislature, and in a grim spirit of fun repealed the ordinance of secession. Several well authenticated cases of rape occurred. The negroes gave a cordial greeting to the Federals, and many accompanied them to Savannah. Many colored women tramped after the soldiers.

It is a dreary narrative to chronicle the ruin wrought by this "March to the Sea" in the proud old state. It would take volumes to record the details. There had been in Georgia a growing drift in public opinion to the idea of reconstruction of the Union. But the march of Sherman killed it. Men standing amid the ruins of their dear homes, with starvation for their loved ones staring upon them, and bitter memories of insult and injury rankling in their bosoms, had no gentle feeling towards the foe that had done the ruin. The work of devastation had but one redeeming feature,—it was, while complete, very brief.

LT GEN. HARDEE

On the 10th of December, 1864, Sherman reached and invested Savannah. On the 13th, Gen. Hazen with his division, carried Fort McAlister after a gallant resistance by Major Geo. W Anderson and his heroic garrison of 250 men. Gen. Wm. J. Hardee had about 10,000 troops in Savannah manning the fortifications. On the night of the 20th of December, Gen. Hardee, finding that he could not hold the city, quietly withdrew into Carolina, having on the 17th refused to surrender. Gen. Sherman took possession of the beautiful Georgia City by the Sea, and Sherman's March was an accomplished historical fact. The Northern exultation over this achievement was delirious, and Congress, voicing the public delight, passed warm resolutions of thanks to Gen. Sherman and his army. Concurrently with this substantial victory came the news of Hood's hopeless and irretrievable defeats at Franklin and Nashville, and the practical annihilation of his army that could not be replaced. Surely there never was a swifter dissolution of a noble and indispensable force under a purposeless lead of incapacity.

These tremendous movements really ended the war. The surrenders of Lee and Johnston did not come until April, 1865, several months later, but it was a hopeless struggle from this time. But the end was approaching. The Georgia campaign gave the death-blow to the cause for which so much blood had been shed, so much treasure expended and so much splendid heroism wasted. It is remarkable, however, and evinces the stern purpose of the Southern people that during these last, hopeless, bloody months of the struggle they were more determined than ever to succeed, and with the cause palpably crumbling before their eyes, they persisted and fought to the last. The various State Legislatures passed resolutions against reconstruction, and the State Executives made messages full of ring and defiance.

During this year, 1864, the Georgia troops out of Georgia had maintained their wonted renown. Gen. Alfred H. Colquitt had earned the splendid title of the "Hero of Olustee" in the famous little battle in Florida, which at one stroke had ended Federal operations there. Upon every battle field in Virginia our Georgians had illustrated the State. Gen. John B. Gordon, according to a correspondent of the London *Times*, had become the rising military genius of our armies. In South Carolina, at Honey Hill, Gen. Gustavus W Smith, at the close of the year, with his division of Georgia militia, had defeated the Federals in a heavy engagement, Gov. Brown having instructed him to carry the Georgia militia into Carolina if the good of the cause required it. Gen. Dick Taylor, in his book called "Destruction," makes statements in ref-

erence to the militia, on this point, that are wholly unauthorized by the facts. We had lost many fine officers, Gen. George Doles, Col. Ed. Willis, Col. John M. Millen, Col. J. H. Lamar, Lieut. Col. Van Valkenburg and others.

The occupation of Atlanta was immediately resumed. The Atlanta *Intelligencer* issued a little sheet amid the ruins, on the 10th of December, 1864. It was printed on one side only, and was about twelve by eighteen inches in size. Gen. Howell Cobb, accompanied by Col. I. W. Avery, rode up there from Macon, picking a way carefully through the débris. Col. L. J. Glenn was made commandant of the post as early as November 26th. The Atlanta exiles had been carried and quartered near Dawson in Terrell county, at "Exile Camp." Some 300 were cared for there at public expense.

A novel collision of civil authority occurred, that constitutes a very interesting incident of that chaotic time. On the 21st of November Gen. Ranse Wright, who had been assigned to command in Augusta, and who was president of the Georgia Senate, issued an order at Augusta, that as Gov. Brown was cut off from communication with the portion of the State east of the Oconee river by the interposition of an hostile army, it became his duty, as president of the Senate and *ex-officio* Governor, during the disability of the Governor, to assume command of all Georgia out of the jurisdiction of the Governor. He revoked all orders of Gov. Brown, and directed all militia east of the Oconee to report to him. Gen. Wright wrote to Gov. Brown explaining his action, and asking if he approved of it. Gov. Brown replied stating that Gen. Wright's course was unnecessary. The press made some exceedingly piquant commentary upon the matter at the time, though Gen. Wright's conduct was highly patriotic, but it was speedily forgotten in the rush of events and the tragic drift of the revolution.

The General Assembly met on the 3rd of November, 1864. Gov. Brown's message was a frank criticism of the campaign, and a candid statement of the situation, but it was also a bold, stirring exhortation to a continuance of the struggle. While the fight lasted, Gov. Brown aided and pressed its unyielding prosecution. In the darkest hour he urged the conflict, and flung the resources of the state, both men and money, into the affray without stint. The Northern Democratic party had advised a convention of the sovereign states, to negotiate an adjustment of the contest. Gov. Brown favored such a movement, the action of such a convention having to be submitted to the states for ratification or rejection. He argued the idea masterfully, but at the same time

he urged that every arms-bearing man in the South should go to the front to sustain our armies. The war had reached the point where statesmanship might aid arms in the settlement of the great issue. Looking at the situation then, Gov. Brown's strong advocacy of this plan was a timely piece of judgment, and could it have been carried out, would have saved a failing cause.

The State's finances exhibited strikingly the effect of the war. The property of the State had been inflated from $840,041,127 to $1,612,592,806, the inflation evidencing the ruinous depreciation of Confederate currency. Polls had fallen from 52,764 to 39,863, demonstrating the ravages of the war upon our men. The State's expenditures for 1864 had run to $13,288,435. The public debt had grown to the enormous sum of $23,980,692. But a most ominous fact was that bank capital had fallen from $70,713,048 to $44,816,979, or nearly one-half. The number of indigent people, families of soldiers, had swelled to the appalling size of 117,889, or the full proportion of the entire voting population of the State at the beginning of the war. Could the ravages of this terrific contest be more strikingly shown than by this awful statistic of wholesale impoverishment? Chatham county had 3,058 indigents, Cherokee county 2,598, Gordon county 2,390, Gilmer 2,106, Paulding 1,875, Gwinnett 2,390. These are frightful figures, and must be appreciated to understand the crushing tale of misfortune and misery that they reveal. The shocking aggregate of want and distress cannot be conveyed in its full practical meaning.

There is another side of this economic question, equally as interesting and suggestive as these dreary numbers of personal indigence and family bereavement. There had been such speculation by the non-combatants that there was a wonderful aristocracy of sudden wealth. Of 91,505 tax-payers fifteen were worth over half a million; thirty-six over $300,000; 131 over $200,000; 829 over $100,000; 2,628 over $50,000; 4,047 over $30,000; 4,780 over $20,000; 10,648 over $10,000; 13,215 over $5,000; 10,438 over $3,000; 8,742 over $2,000; 13,081 over $1,000; and 22,311 were worth $1,000 and under. This was estimated according to Confederate values.

There is a strange and dramatic teaching in these figures—a lesson of pathetic and momentous import. While the brave soldiers were striking at the enemy in the field, and their families were practical paupers at home living upon the bounty of the State, there was behind the protecting ægis of a craven non-combatancy thousands of enterprising citizens filling their coffers, and gorging their purses with the profits of

some sort of greedy trading. Think of fifteen millionaires in our war-smitten commonwealth in that destructive day, and a thousand men worth over $100,000 each. Georgia, in her palmiest prosperity of peace, never made such a prodigal showing of rich citizens. There was something dreadfully wrong. It was a cruel incongruity, and it sapped the cause with an unseen but immeasurable potency.

Not less interesting is the range of prices for all articles of trade. It took, on the 31st day of December, 1864, forty-nine dollars in Confederate money to buy one dollar in gold. And the private soldier was receiving his $11 a month for his bloody service. A month's pay would buy him a pound of meat that he could eat in two days. Hats were worth several hundred dollars; a horse several thousand; a bushel of wheat from $40 to $50; a drink of poor whiskey, $5, and good, $10. The government churned out its money prodigally, but the soldiers had little chance at it. There was little to buy, and what there was brought fabulous sums. The commercial aspects and features of that Confederate period were among its most romantic characteristics.

CHAPTER XXXI.

THE CLOSING THROES OF THE REVOLUTION AND THE TRAGIC END.

The Destruction at Milledgeville.—The Legislature in Macon.—The Last Session under the Confederacy.—Enlisting the Slaves for Soldiers.—Gov. Brown Against it.—Gov. Brown urges a Southern Convention.—An Eloquent Message.—War Pluck.—Toombs, Cobb, Hill and Stiles make war speeches.—Attacks upon Brown.—L. J. Alred arrested for Treason.—Judge Lochrane releases Him.—Gen. W. T. Wofford.—North Georgia a Ruin.—Federal Rule in Savannah.—Submission Meeting there.—Salt for Carolina.—The Hampton Roads Conference.—Mr. Stephens.—Georgia Figures Foremost to the Last.—Gordon, the Companion Figure with Lee, in the Last Throes.—Surrender.—Davis and His Cabinet Fly to Georgia, where The Confederate Administration Dissolves.—Last Act of the Confederacy.—Romantic Incidents.—The Gold Bullion.—Gen. Toombs.—Major R. J. Moses.—Davis Captured in Georgia.—The Stupendous Losses of Georgia.—Gov. Brown.

THE legislature of Georgia had adjourned upon the 18th day of November, 1864, upon the approach of Sherman's army. The occupation of Milledgeville by the Federal force, while it did not witness the destruction of the state buildings, yet it was marked as has been stated by great and irreparable injury to our public records, the floors of the capitol and the grounds around being strewed with the débris of valuable papers, and many of them were burned. The penitentiary was burned. Gov Brown reconvened the legislature on the 15th of February, 1865, in Macon. The Senate met three days in succession before there was a quorum. In the absence of the presiding officer, Hon. T. L. Guerry was elected temporary President. Gov. Brown's message to the General Assembly was alike a symbol of the man and of the desperate crisis. He put the dreadful situation plainly. He discussed unmincingly the causes that had led to the stress. He criticised Mr. Davis freely. He placed blame where it lay. He concisely argued the great, grave question, which was then in everybody's mind as an extreme expedient to get out of our peril, whether we should arm our slaves and put them to fighting. Gen. Lee favored the policy, and he was a strong authority for any measure. Gov. Brown took a square stand against it, and his argument was practical and very strong. He condensed the objection to it in the idea that negroes would not fight heroically to continue

the enslavement of their wives and children. Lincoln could disband them by brigades, by a proclamation of freedom and protection. If we offered them freedom to fight, it was an abandonment of slavery.

Gov. Brown capped his message by urging the call of a convention of the Southern states to consider the crisis and provide a remedy. He pressed the abandonment of the fatal conscription policy and the return to the constitutional method of raising troops by the states; the reorganization of the troops under officers of state selection, which would put into the army the hordes of enrolling officers and other exempts; the repeal of impressment laws; and the appointment of a commander-in-chief with full control, except subject to removal by the President and Senate. The concluding sentences of this message are well worthy of quotation, and convey vividly the stern spirit of the Executive and the tottering condition of the cause.

"The further pursuit of our present policy not only endangers our rights and our liberties, but our independence also, by destroying the institutions and breaking the spirits of our people. Let us beware how we trifle with the rights, the liberties, and the happiness of millions.

"I am aware that the freedom and plainness, which a sense of duty to my country has compelled me to exercise, in discussing the measures of the administration, and the policy of the government, may subject my motives to misconstruction. I feel the proud consciousness, however, that I have been actuated only by a desire to promote the cause so dear to every patriot's heart, and thereby secure the independence of the Confederacy, with the civil and religious liberties and constitutional rights of the people, without which independence is an empty name, and the glory and grandeur of our republican system is departed forever. No one can be more vitally interested than myself in the success of our cause. I have staked life, liberty and property, and the liberties of my posterity, upon the result. The enemy have burned my dwelling and other houses, destroyed my property, and shed in rich profusion the blood of nearest relatives. My destiny is linked with my country. If we succeed, I am a freeman. But if, by the obstinacy, weakness or misguided judgment of our rulers we fail, the same common ruin awaits me which awaits my countrymen. It is no time to conceal ideas in courtly phrase. The night is dark, the tempest howls, the ship is lashed with turbulent waves, the helmsman is steering to the whirlpool, our remonstrances are unheeded, and we must restrain him, or the crew must sink together submerged in irretrievable ruin."

The legislature remained in session until the 11th day of March, 1865. The body refused to call a convention. Resolutions were passed to continue the war. Addresses of war encouragement were made by Gen. Toombs, Gen. Cobb, Ben Hill and Wm. H. Stiles, to the members and citizens. Gov. Brown's message excited a varied contrariety of comment. Like everything else this positive man uttered and did, it evoked warm commendation and hot censure and a spirited antagonism. The friends of Mr. Davis abused Gov. Brown, and the latter's friends

defended him. One or two papers, the Macon *Telegraph* especially, in editorial charge of a bright, little black-eyed poet, Harry Flash, who has written some of the finest war lyrics in the English language, struck at the Governor savagely, and he came near having a duel in consequence thereof with J. Henly Smith, editor of the Atlanta *Confederacy*. The soldiers and the people were with the Governor, however, in spite of the bitterest kind of denunciation from a fierce minority, that hit him from first to last with merciless malignity. Every conceivable charge had been brought against him. He had been accused of speculating and making money out of corn and salt and cotton and everything else. He struck down these slanders, one by one, with vigorous blows. It has been one unfailing peculiarity of Gov. Brown, that he has met attack, whether in the shape of slander or argument, promptly and aggressively. His opposition to the conscription act brought against him constantly a torrent of crimination that he was untrue to the Confederate cause. But against all of these calumnious accusations stood his sleepless practical devotion to the cause and sacrifices and labors in its behalf.

A very interesting episode of this General Assembly was the action it took against Hon. Lemuel J. Alred, the member of the legislature from Pickens county, so long connected with public matters in Georgia, and who to this day preserves his potential agency in the local affairs of his county, and represents it in some capacity in all of the conventions and legislatures of the State. He was charged with treason and disloyalty, and resolutions of expulsion were introduced. It was alleged that he had raised a tory company, and stood to the United States flag. He was imprisoned in jail and released upon a writ of *habeas corpus* by Judge O. A. Lochrane of the superior court, who thus pronounced against the truth of the charge after an investigation of the matter. This release by Judge Lochrane was a peculiarly courageous and creditable exercise of judicial duty. Judge Lochrane had been appointed by Gov. Brown, and his confirmation was pending in the Senate. Yet he antagonized the body by his prompt reversal of their action and the release of Alred.

This session of the General Assembly was a notable one in that it was the last held in Georgia under the Confederate government; and, notwithstanding the disheartening condition of matters and the gloomy war outlook, it sustained the manhood and honor of the State with an unshaken courage, and kept its shining faith to the Confederacy in the darkest calamities of its own ruin.

During this woful period one of the distinguished soldiers of the State did a service that entitles him to the State's gratitude. This officer was Gen. Wm. T. Wofford. He was a firm anti-secessionist, and carried his county against secession. On the 23rd of January, 1865, by the request of Gov. Brown and the people of Georgia, and by his own desire, he entered upon duty as a department commander in North Georgia. This favored section of the State, rich, healthy, beautiful, was a continuous ruin. It exemplified the horrors of war. The white section of the State, it furnished the bulk of the Union element. The arena for contending armies for a long period, it was desolated in its entirety. Left for months outside of the protecting ægis of both governments, the hiding-place of guerillas of both armies, the theater of that worst of all strifes that exist between inimical local factions, it realized in all its dread malignancy the miserable suffering conveyed in the realization of anarchy. The melancholy condition of this section is the saddest picture of all of the sad ones of the late war. Those able to flee, fled. Those unable to get away staid in armed despair, ever present peril, and subject to daily rapine and death. Courts were silent, schools empty, churches deserted. Dwellings were burned and fences destroyed, until the civilizing demarkations of home and farm were lost in indistinguishable ruin. Strolling bands of deserters and robbers herded in the mountain caves, made predatory excursions from their fastnesses, and in their inhuman collisions and murderous orgies kept up a reign of terror. It was once a smiling country, peaceful, prosperous and happy, converted by the fell Moloch of war into a bloody scene of utter desolation. And to these awful horrors, universal and unmitigable, the possibility of starvation was superadded. No crops could be raised in this hideous time, and charity could not penetrate this wilderness of devastation.

To redeem this cursed land, certainly a blessed mission, Gen. Wofford was sent by Mr. Davis at the request of Gov. Brown, who knew his fitness for the duty. It was a labor of love for Gen. Wofford, and he entered upon his difficult duty with zeal. He called in and organized over 7,000 men, large numbers of them deserters and stragglers. He exhibited decided executive ability in his work. The railroad track was torn up and twisted, so that railway transportation could not be used. He overcame with masterly will and ability the intrinsic difficulties of his position. He obtained corn and distributed it among the starving people. His cool, resolved tact was the very quality to handle the turbulent lawlessness of the section. He sent a flag of truce to Gen. Judah,

the Federal commander in North Georgia, and obtained a personal conference, in which he induced Gen. Judah to do the noble act of distributing corn to the starving people furnished by Gen. Wofford.

The capture of Savannah was a very valuable one to the Federals. Gen. Sherman sent the following agreeable dispatch to President Lincoln:

"SAVANNAH, GA., Dec. 22, 1864.

"TO HIS EXCELLENCY PRESIDENT LINCOLN, Washington, D. C.

"I beg to present you as a Christmas gift the city of Savannah, with one hundred and fifty heavy guns and plenty of ammunition, also about twenty-five thousand bales of cotton. W T. SHERMAN, Major General."

It turned out that there were 250 coast guns and 31,000 bales of cotton. The city was placed under military government. An order was issued, that among other things, restricted the publication of newspapers to two, and threatened the editors and proprietors with severe punishment in person and property for "any libelous publication, mischievous matter, premature news, exaggerated statements, *or any comments whatever* upon the Acts of the constituted authorities." This was freedom of the press with a vengeance. The wives of Generals G. W Smith and A. P Stewart of the Confederate army were in the city, and were accorded special protection. The capture was a sore crisis for many elegant people. Savannah is a city of unusual culture, and was inhabited by a citizenry of wealth and high-bred refinement and luxury. Ladies of the best families were compelled to vend cakes and pastry at their basement windows to raise means to subsist. Gen. Sherman issued provisions to many families. A meeting of citizens was held upon call of the Mayor, Dr. R. D. Arnold. Dr. Arnold was made chairman, and A. S. Hartridge and Robert Irwin secretaries. A committee consisting of Col. Rockwell, Alderman Lippman, Dr. Willis, Alderman Villalonga, Martin Duggan, J. G. Wills, W D. Weed, Alderman Lachlison and Alderman O'Byrne, reported resolutions which were unanimously adopted, seeking peace by laying down arms and submitting to the national authority, claiming the immunities and protection of the Federal government, and asking the Governor to call a convention of the people of Georgia to give them an opportunity of saying whether the war should continue.

This action of Savannah was the initial note of submission. On the 19th of January, 1865, Gen. Sherman made the first general orders for his move into Carolina, the continuation of his march. In speaking in his memoirs of this movement, he uses this language:

"We were all anxious to get into the pine woods again, free from the importunities of rebel women asking for protection, and of the civilians from the North who were coming to Savannah for cotton, and all sorts of profit."

No words could better convey the condition of the people of this captured city than these few simple words of the General of the Federal army. Between the conquering soldiery and the rapacious speculators the citizens had a hard time. The correspondence between Gen. Sherman and the Federal authorities throws full light not only upon the march through Georgia, but its continuation through Carolina. Says Gen. H. W Halleck:

"Should you capture Charleston I hope that by *some accident* the place may be destroyed, and if a little salt should be sown upon its site, it may prevent the growth of future crops of nullification and secession."

To this gentle suggestion Gen. Sherman replied:

"We are not only fighting hostile armies but a hostile people, and must make old and young, rich and poor, feel the hard hand of war, as well as their organized armies. Before we have done with her, South Carolina will not be quite so tempestuous. I will bear in mind your hint as to Charleston, and do not think 'salt' will be necessary. When I move, the fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first; and, if you have watched the history of the corps, you will have remarked that they generally do their work pretty well. The truth is, the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate, but feel that she deserves all that seems in store for her. I look upon Columbia as quite as bad as Charleston, and I doubt if we shall spare the public buildings there as we did at Milledgeville."

From these expressions of the Federal Generals it can well be understood that the frightful severities of this campaign in Georgia and Carolina were intended. It is not our purpose to follow the fighting farther. On the 23rd of February, 1865, Gen. Joseph E. Johnston was re-instated in command of the inconsequential fragment of a Southern army. In this little force was 1,100 South Carolina militia and reserves. It is not irrelevant to contrast this small body of Carolina militia, defending Carolina soil, to the 10,000 of Georgia militia raised and armed and put in the field by Gov. Brown for months in defense of Georgia soil. The fact illustrates not the superior patriotism of the Georgia citizens, but the superior vigor and zeal of Georgia's war Governor.

On the 3rd of February, 1865, took place the celebrated Hampton Roads Peace Conference, between Mr. Lincoln and Mr. Seward of the North, and Mr. Stephens, Mr. Hunter and Judge Campbell of the South, which resulted in nothing. This Conference is given in full in Mr. Stephens' great work, "The War Between the States," and constitutes one of the most valuable chapters of that important work. It is

a singular coincidence that an illustrious Georgian should have been the main actor in both of the two efforts at peace between the sections, and it keeps up the remarkable destiny of Georgia as the crowning factor of the revolution.

But the end was at hand. The colossal contest was drawing to its desperate and tragical conclusion, and it was a strange and unerring exemplification of the influential fatality of the State of Georgia in the struggle, that in the person of her gallant Gordon she figured so conspicuously in these fateful final scenes. He was the second figure to Lee in the dismal glory that marked the gory failure of the revolution. In the terrible last days, it was the ringing name of John Gordon that most frequently thrilled the public ear. In the mighty throes of this expiring and gigantic war, it was the knightly figure of Gordon that led the forlorn hopes of the falling cause. It was Gordon with his unconquered bayonets, that last left the futile fortifications of Petersburg; it was Gordon, undaunted and undismayed, that in the calamitous retreat led and fought in front of the enemy with his shattered band of heroes; and it was this same Gordon that was chosen to cut his way through the encompassing legions with his fragment of 2,000 intrepid men, in the most forlorn hope that was ever contemplated by soldierly desperation. And when the historic scene of Appomattox Court House came, with its memorable surrender of the army of Virginia, and its consequent collapse of the Southern cause, it was Georgia's Gordon that divided with his great chieftain, Lee, the sad celebrity of that heroic but irreparable conclusion of the grand drama.

On the 2nd of April, 1865, Lee's line at Petersburg was broken, and Davis and his cabinet left Richmond and went to Danville. On the 9th of April, Lee surrendered. On the 26th of April, Johnston surrendered, and in swift succession followed other surrenders up to the 25th of May, when the great war was ended—forever. Georgia witnessed and felt the horrors of a cavalry invasion by Gen. Wilson of the Federal army from Alabama, that officer reaching Macon at the time of being stopped from farther devastation by the truce following upon Johnston's surrender.

The President and his cabinet, the small nucleus of the dead Confederate government, the helpless representatives of its defunct authority, were fugitives and uncaptured. The State of Georgia was not to be balked of its curious fate of a foremost agency in the revolution, even in the final matter of being the arena of the last order of Confederate power, and the theater of the dissolution of its administration and capture of its President.

As soon as Richmond fell Mr. Davis and his cabinet went to Danville. Remaining there a few days, he proceeded to North Carolina. When the armistice was arranged between Sherman and Johnston, Mr. Davis determined to go to Texas. A company of Dibrell's brigade of cavalry was assigned as escort. This was company B of the Ninth Kentucky cavalry, Captain Given Campbell. Mr. Davis had with him Gen. Breckenridge, secretary of war; John H. Reagan, postmaster general; ex-Governor Lubbock, of Texas, aid-de-camp; Burton N. Harrison, private secretary; Col. William Preston Johnson, Lieut. Hathaway, Mrs. Davis and four children, Miss Howell, his wife's sister, and Midshipman Howell, her brother. At Abbeville, S. C., his escort left him, except the captain and ten men, including privates H. C. Anders, James H. Smith, J. T. Walbert, W N. Ingrain, Heath and Hartness. The party had five wagons and three ambulances. Mrs. Davis and the family were sent on ahead. Mr. Davis arrived at Washington, Wilkes county, Ga., the home of Gen. Robert Toombs, on the 4th day of May, 1865. Gen. Bragg, Gen. J. M. St. Johns, commissary general, Gen. A. R. Lawton, quartermaster-general, and a large number of Confederate officers arrived there. The various heads of departments all had left Richmond together, and they remained with Mr. Davis in Washington, Ga., until they separated by his order. It was here that the Confederate administration dissolved and the last official order of the Confederate government was issued, which is given in this chapter; and it was a singular and suggestive coincidence, strikingly exemplifying the strange caprices of human events, that a little country village, in a section of Georgia out of the range of military operations, and the home of the man who did more than all other men in the South to spring the revolution, and who had been the organizing premier of the Confederate government, should, by a fantastic fatality, be the spot where the heroic but ill-fated venture went to pieces and its last note of official authority was given.

President Davis and most of his staff stayed at the Heath House in Washington. The building was occupied also as a bank. Mr. Davis was very much worn, and saw but little company while in Washington. He remained there about thirty-six hours, reaching the town at noon of the 4th, and leaving it the 5th of May. St. Johns and Reagan spent the night with Gen. Toombs, as did Major Raphael J. Moses, of the commissary department, from whom we have obtained the most interesting particulars of this matter, and to whom we are indebted for a copy of the official order referred to. Major Moses was commissary for the State of Georgia, having been appointed to fill the place of Major Locke, who

had died. He had been sent to South-western Georgia by Gen. Lee, to try what effect direct appeals from one fresh from the field would have in inducing the people at home to send forward more liberal supplies of food to the suffering troops in Virginia, who, almost without rations, had been opposing the well-fed troops of Grant at the Wilderness and other points. On Major Locke's death, Major Moses was put in his place, and his duties as state commissary located him at Augusta in April, 1865, and his presence was required along the line of the Georgia railroad, and at the time written of his duties called him to Washington, where he received from Gen. Toombs an invitation to stay with him. Such hospitality was acceptable beyond expression, at a time when the pay of a Confederate major was $162.50 per month, in a currency that commanded at the same time a day's board for the moderate amount of $50.

While Major Moses was in Washington, the President and his party arrived. Among the other attractions, that which filled the public eye of the watchful Washingtonians almost as much as the distinguished visitors, was the far-famed specie train, containing really between $100,000 and $200,000, which amount Dame Rumor exaggerated to untold millions, and which was an object of keen stimulus for the popular cupidity. The bulk of this money was in uncoined bullion—mostly bars of the precious metal, unmolded into dollars.

Gen. Dibrell gives this interesting account of what he knew of this famous and exaggerated money:

"I was directed to furnish four additional wagons to transport the specie, and Gen. Breckenridge in person directed Gen. Duke, with his brigade, to guard the specie train. We crossed the Savannah river and halted near Washington, Ga., about sunrise on the morning of the 2d of May. The specie train was parked in a lot near a house occupied by Gen. Breckenridge for head-quarters. The specie was taken into his room. I was present part of the time. The first box opened contained bullion, and was nailed up again. By direction of Gen. Breckenridge, muster rolls of all troops present were made out. This money for the troops, upward of $108,000, was turned over to Maj. E. C. White, my division quartermaster, (he being the senior quartermaster present,) and the amount due each soldier, $26.25, was paid through the regimental quartermaster on each muster roll. Each officer and soldier, including infantry and cavalry, as well as Gen. John C. Breckenridge, received just the same amount, $26.25.

"Maj. White, after the payments were all made, handed me a report in writing of the amount received by him and the payments made to each command, showing how he had disbursed the $108,000. This report I brought home with me, but have lost or mislaid it. Maj. White was a citizen of Anne Arundel county, Md., but of late I have been unable to learn his address. G. G. DIBRELL."

Just before the President (Mr. Davis) left, Gen. Joseph E. Johnston sent Major Moses an order to furnish 250,000 rations to troops return-

ing to their homes. The Confederate States had at the time of Johnston's capitulation with Sherman a very large supply, comparatively speaking, of rations at different points on the Georgia railroad, which connects Atlanta and Augusta, some one hundred and seventy miles apart, but as soon as it was known that the last hope of the Confederacy had passed away, the half-starved people along the line of railroad soon transferred the Confederate commissary stores to more convenient places, and there was not a week's rations for one hundred men from one end of the road to the other.

We not only had no rations to feed the returning troops, but if we had had enough to fill every storehouse on the route, there was no way of protecting them. It was in this contingency that Maj. Moses wrote and induced the Commissary General, St. Johns, to sign the last official order ever drawn by the Secretary of War of the Confederate government. It was signed by Gen. J. M. St. Johns, by direction of the Confederate Secretary of War, in Washington, Ga., while in transitu and bound for parts unknown. It ordered Maj. Moses to arrange with some Federal general at Augusta or Macon to supply the returning troops and provide the hospitals with rations and necessary medicines, and for that purpose apply to the Confederate government for the necessary funds. The order being signed, Maj. Moses did apply, but it was like calling spirits from the vasty deep. They did not come. In this emergency Maj. Moses applied to Gen. Toombs, and he obtained an order from Gen. Breckenridge, the Confederate Secretary of War, upon the officer in charge of the specie train, to pay Maj. Moses $40,000 in bullion, of which $10,000 was to be turned over to the Quartermaster Department, in charge of Felix R. Alexander, Assistant Quartermaster under Gen. Alexander R. Lawton, the Confederate Quartermaster-General. Armed with this order, Maj. Moses overtook the train of wagons a mile or so from Washington, the night of its departure, and received and receipted for what was estimated or guessed to be $40,000 of gold bullion.

This bullion was carried back to Washington, and being guarded over night, $10,000 was paid over to the Quartermaster-General, Lawton, and with the other $30,000 Maj. Moses started for Augusta, guarded by four members of the Washington artillery. Maj. Moses had a stirring time with his perilous treasure. It was, of course, known immediately that he had it in possession. The war had unhinged men's ideas and principles. But still more demoralizing of the public conscience was the desperate stress of the people, coupled with the knowledge

that the Confederate cause was dead, and that this specie was ownerless and a probable treasure trove and booty for the Federal soldiery. Maj. Moses, with punctilious honor, was resolved to part with it only with his life and to deliver it according to orders in fulfillment of its kindly mission.

On the train from Washington to Barnett, where the branch road joins the Georgia railroad, he was watched and menaced with constant danger. At Barnett he had his car switched off before the train arrived at the depot and left in a cut, but the eager crowd swarmed around it. The car was taken up to the depot, and for several hours, until the Augusta train arrived, Maj. Moses was in the most perturbing perplexity and strain of his life. There were some two or three hundred returning soldiers, besides the no less determined citizens. These desperate men, a reckless mob, coolly demanded the money, as being as much theirs as any one's, and they were armed to enforce their demand. A number of soldiers and officers stood by Maj. Moses, giving him friendly aid, among whom were Private Shepherd, formerly of Columbus, Ga., then of Texas, and Gen. Sanford, who is now practicing law in Montgomery, Ala. Maj. Moses remonstrated quietly and argumentatively with the menacing men surrounding him, and appealed to their honor and patriotism and stated his orders. At length it seemed nothing could avert the attempted ravishment of this specie.

A wounded officer seemed to be the ringleader. Finally, as if by an inspiration, Maj. Moses stepped up to this officer and addressed him in these words:

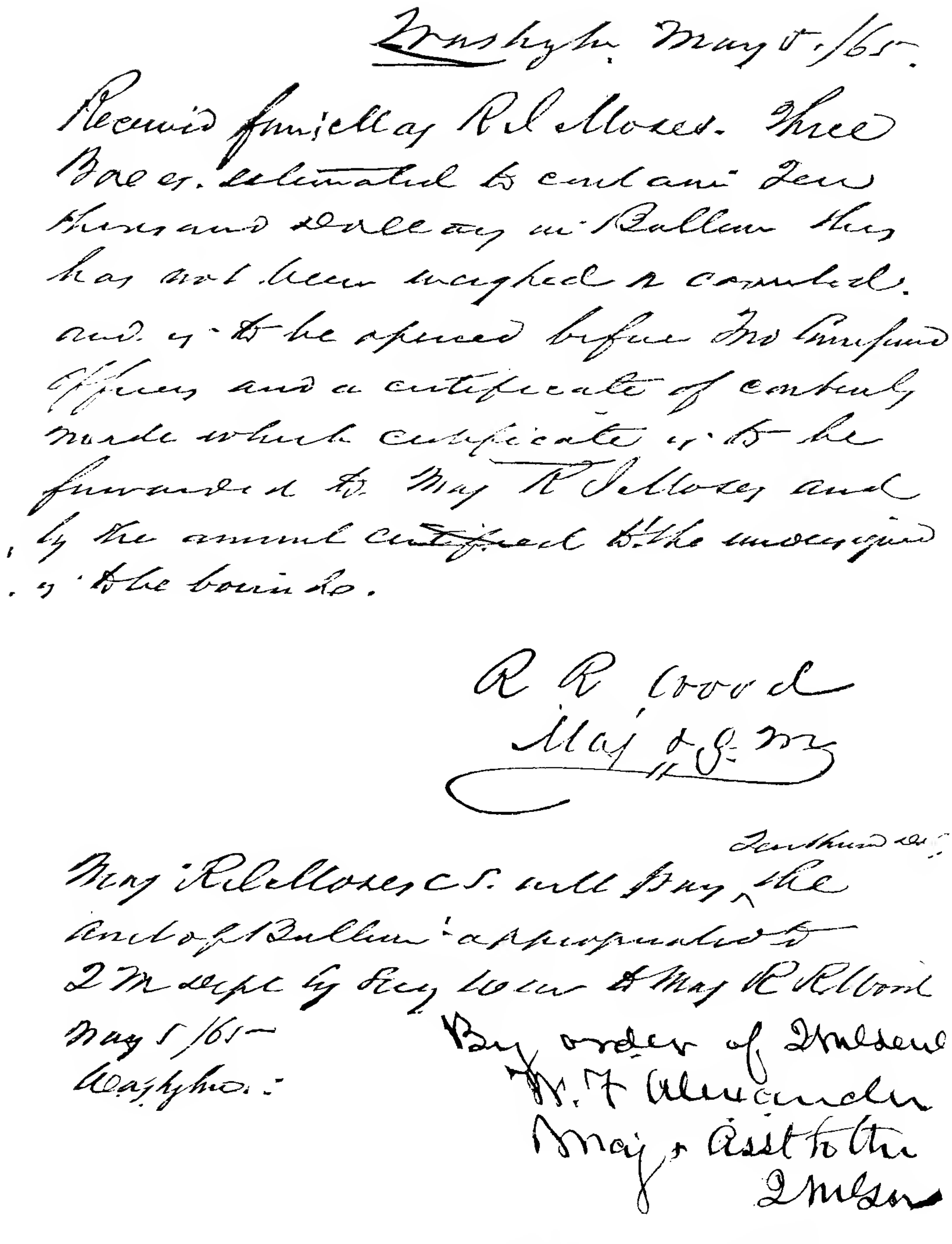
"Sir, your rank indicates that you are a gentleman, and your wound testifies that you have been a gallant soldier. I appeal to you in the spirit of that honor that belongs to all brave men, to assist me in the discharge of this trust."

The officer promptly responded that he would willingly aid in the matter, and he went around among the threatening soldiers, quieting them. Maj. Moses was enabled to safely continue his trip, and delivered the bullion to Gen. Molineux, stationed at Augusta, and did so upon his promise to feed the returning soldiers and see that the sick in the hospitals were cared for. The bullion was weighed and turned out in excess fully $5,000. It was delivered by order of Gen. Molineux to one Adams, of Massachusetts, then acting as provost marshal of Augusta. Maj. Moses has since attempted to learn whether this money ever reached the Federal treasury, and went in company with Maj. J. D. Waddell to Washington city, and delivered it to the Hon. Jerry

Black, with the request that he would trace the fund, but he has never heard the result of the investigation.

Just after the departure of Gen. Breckenridge from Washington with a body of cavalry, a cavalry man rode back in a gallop and threw a bag of gold coin over the fence around Gen. Toombs' residence, and then rapidly rode away. No explanation was given of this liberal act, no instructions accompanied the money, and there was no clew ever obtained as to the motive or purpose of the soldier. The bag contained $5,000 in gold currency. Gen. Toombs at the time was in great stress for money, and was borrowing gold for his contemplated flight out of the country, but he swore with a round oath he would not touch a dollar of this money, so strangely and unexpectedly showered upon him. The bag was turned over to Capt. Abrahams, a Federal commissary, for the purchase of flour and other provisions for the returning Confederate soldiers, and Maj. Moses states that his son aided in this disposition of the fund. Gen. Toombs was a princely financier and has always had a lordly scorn of unclean or illegitimate money. His escape and adventures abroad were right romantic. After Mr. Davis and his party had all scattered out from Washington, and Gen. Toombs was about to get away, a Federal soldier rang at the door. Gen. Toombs himself went to the door, and the soldier told him he was after Gen. Toombs and asked if he was at home. The General replied "Yes," and asked the soldier to wait while he informed the General. Going in and telling Mrs. Toombs to delay the soldier as long as possible, Gen. Toombs went out the back door, mounted a horse that he had ready back of his premises, in anticipation of just such a contingency as this, and took to the woods, making for the coast. Mrs. Toombs held the soldier on one pretext and another for nearly half an hour, carrying him from room to room, all locked and the keys lost. These moments enabled Gen. Toombs to get away.

In England he was without a dollar in money; but a banking firm, for which he had done legal business before the war, learned of his being in that country and tendered him $100,000 for his use, which he declined, except several thousand dollars that he used for a friend. He was traveling on the train and met accidentally a nobleman whose acquaintance he had made in Washington, and this gentleman immediately consulted him professionally on a matter connected with some American securities, and for this legal opinion Gen. Toombs received a fee of $5,000, which relieved his necessities. No man in the Union has been a more successful maker of money than Gen. Toombs.


Washington May 5. /65.

Received from Maj R J Moses. Three Boxes. estimated to contain Ten thousand Dollars in Bullion they has not been weighed or counted. and is to be opened before two Commissioned Officers and a certificate of contents made which certificate is to be forwarded to Maj R J Moses and by the amount certified to the undersigned is to be bound so.

R R Wood
Maj & Q M

Maj R J Moses C.S. will pay ten thousand dollars the amt of Bullion appropriated to QM dept by Secy War to Maj R R Wood
May 5 /65
Washington

By order of President
W. F. Alexander
Maj & Asst to the President

THE LAST ORDER OF THE CONFEDERATE GOVERNMENT,
Given at Washington, Wilkes County, Georgia, May 5, 1865.

We now come to the last official writing ever issued by the Confederate administration. For four years it had conducted this unparalleled war, directing the movements of a million of soldiers and disbursing $1,000,000,000. It had issued orders affecting the destinies of States, armies and a grand nation. It had witnessed the dissolution of its massive hopes, and here was the end of it all, the last official act of an agent of such colossal duties. The paper is both intensely interesting and touchingly pathetic. It is as historic a curiosity as the world affords, this last flicker of a mammoth revolution, this final order of a stupendous rebellion—this concluding authoritative act of the war of the semi-world. Such thoughts cluster around it as would make a grand epic. It is a short document, written upon the Confederate made paper that was manufactured in those days, a yellow, coarse, porous writing material, itself a significant symbol of Confederate times. The paper is of the commercial note size, thin, flazy, hardly bearing ink, rather a tough textured, blotting sheet, than a usable writing medium. As an ordinary document of every day life it would be valueless. It merely directed the payment of $10,000 of gold bullion, and on the order is written the receipt for the bullion, the paper thus testifying to the honesty and promptness of the disbursing officer of a great shattered government—an administration gone down hopelessly in a grand ruin. But as the last order of that Confederacy, that for four years had maintained the mightiest war of all history, that was alike the center of such an immeasurable range of hopes and memories, and the striking object of such an immense and turbulent conflict of blood, it has an interest and a poetry that cannot be expressed and that will grow with time.

By some curious chance the receipt comes first, and then follows the order, indicating that it was all one transaction. The order was written by Maj. R. J. Moses, as also the receipt. We give the order first:

"Maj. R. J. Moses, C. S., will pay $10,000, the amount of bullion appropriated to Q. M. Dep. by Sec. War, to Maj. R. R. Wood. By order of Q. M. Gen.

"W. F. ALEXANDER, Maj. and Ass. to Q. M. Gen.

"5 May, 1865, Washington."

The receipt is as follows:

"WASHINGTON, May 5, '65.

"Received from Maj. R. J. Moses three boxes estimated to contain $10,000 in bullion. This has not been weighed or counted, and is to be opened before two commissioned officers and a certificate of contents made, which certificate is to be forwarded to Maj. R. J. Moses, and by the amount certified to the undersigned is to be bound.

"R. R. WOOD, Maj. and Q. M."

With Mr. Davis was captured the balance of the coin and bullion,

which was carried to Washington, D. C. In 1866, certain Virginia and Louisiana banks claimed that this money was their property and not the property of the Confederate States. Treasurer Spinner insisted upon a particular description of the captured coin, which could not be given. Subsequently, Secretary McCulloch, by order of President Johnson, directed Treasurer Spinner to turn the money over to the claimants, but on consultation with Secretary Stanton, he refused to do so, and soon after the bullion was coined. At Treasurer Spinner's instance, Congress passed a resolution, approved March 22, 1867, ordering that this money be conveyed into the treasury by warrant. This was done. In 1873 Judge Joseph Casey, attorney for the Bank of Louisiana, made another attempt in the United States Court of Claims, to get this money. He had a rule issued on the Secretary of the Treasury to show the kind and amount of coin captured, whether there were certain kegs of gold, Spanish and American coin, sixty kegs or less, and boxes of silver coin, and the disposition made of such coin, and the authority for the disposition. Secretary Boutwell referred the rule to Treasurer Spinner, who gave the information desired, but claimed that Congress, having by resolution disposed of the matters, was the only power that could give relief. This appears to have ended this episode of the last of the Confederate finances captured on Georgia soil with the President of the Confederacy in the sunny May of 1865.

It was a singular coincidence that the Davis government should have finally dissolved in a place having the same name as the seat of government—Washington—the objective goal of the war efforts of that administration. It was a fitting conclusion of the young government that, after four years of unequaled resistance to a Power that had been backed by the civilized world, it marked its last act of authority by a thoughtful loyalty to the comfort of its penniless and starved defenders.

On this 5th day of May, 1865, the Confederate administration thus gathered at Washington, Ga., and standing at last shorn of every vestige of authority, means, support and power, helplessly fugitive, its long-fought cause done forever, dissolved and scattered, never more to meet. General Breckenridge, the Confederate Secretary of War, went in one direction; General St. Johns, the Commissary General, in another; General Lawton, the Quartermaster-General, in still another; while Mr. Davis and Mr. Reagan, the Postmaster-General, fled leisurely at the rate of about thirty miles a day into the interior of Georgia. It was a strange want of vigilance and rapidity in Mr. Davis as an escap-

ing fugitive, and it almost seemed as if he either did not apprehend or did not care for capture.

At Irwin's Cross Roads, in Washington county, a band of desperadoes made a demonstration upon Mr. Davis and his party, ignorant of who they were. At Dublin another attack was threatened by some thirty deserters, but in both cases the bands were frightened or persuaded off. A federal force of about two hundred cavalry, under Lieutenant Colonel B. D. Pritchard, of the Fourth and Second Michigan regiments, finally captured Mr. Davis and his party near Irwinville, at daylight on the morning of the 10th day of May, 1865. The federal cavalry was divided and ran upon one another unexpectedly, firing and killing several soldiers.

For a long time the Northern press circulated the statement that Mr. Davis was captured in woman's clothes, but the statement was false, and was undoubtedly fabricated to throw ridicule upon him and the cause he represented. The report was an ungracious piece of malignancy, as ungenerous as it was malicious.

With the capture of President Davis on Georgia soil, the final blow was given to the Confederate government and the Southern cause that it represented. The first act of war had been committed on Georgia territory, and the ultimate ending, by a providential fortune, came here too. The brilliant beginning and the calamitous conclusion both belong to Georgia, and with her other masterful instrumentality in the mighty episode, weave together a story of heroism, power and disaster, that will live in all ages.

The simple record of the sacrifices of the state of Georgia will show resplendently her war record. She sent to the field over 120,000 soldiers, or 20,000 more than her voting population at the beginning of the war. No statistics were gathered until 1867, after she had enjoyed two years of recuperation, and there is no means therefore of accurately estimating the damage she suffered. Her aggregate wealth in 1867 was $191,235,520, or $481,497,381 less than in 1861, and her gain from 1865 must have been fully fifteen or twenty millions, making her war loss amount to the prodigious proportion of three-fourths of her wealth. We can best illustrate Georgia's heroism and suffering by comparing her losses with those of the other Southern states: Georgia, 481 millions, or over three-fourths of her wealth; South Carolina, 326, or two-thirds; Mississippi, 355, or two-thirds; Virginia, 186, or two-sevenths; North Carolina, 160, or one half; Kentucky, 104, or one-fifth; Louisiana, 185, or two-fifths; Tennessee, 69, or one-fifth; Florida 36, or one-half; Missouri gained 286 millions.

Her loss in slaves alone was $272,015,490, or thirty-four millions more than her present wealth. Her lands fell off in value one-half. One-quarter of her railroad track was totally destroyed. Over 2,000 square miles of her territory had been stripped and ravaged and made a wilderness of wreck. The public debt was run to over twenty-five millions of dollars, of which over six millions were expended on the families of soldiers, four millions in sending clothing to the Georgia troops, and six millions more upon our state forces outside of Confederate operations. No state in the Confederacy approximated Georgia in her voluntary expenditures in aid of the war. And truth requires the candid admission that Gov. Brown led in this unequaled policy of generous and unstinted military zeal. Concurrently with all of his stubborn and unyielding conflicts for constitutional principle, he to the fullest extent of his official power, gave practical coöperation to the cause, and contributed his private fortune. The substantial significance of such a force cannot be overlooked.

But the end had come. Our efforts, our sufferings, our sacrifices had been unavailing. The war had gone against us, hopelessly, finally. And from the unredeemed wreck of unsuccessful revolution the people of Georgia turned their crushed energies bravely to rehabilitation and the future.

PART III.

The Reconstruction Travesty and a Superb Rehabilitation.

CHAPTER XXXII.

THE TRANSITION PERIOD OF PURE BAYONET RULE.

The Whimsical Tyranny of Reconstruction.—Venomous Times.—Gov. Brown's Dramatic Experience.—Outliving a Merciless Ostracism.—Gen. Wilson.—Stephens, Cobb, Hill and Brown arrested.—Gov. Brown's Release.—Gen. Wilson Squelches the "Rebel State Authorities."—Federal Cleverness.—Gen. Wofford.—Mules and Corn Distributed.—Gov. Brown's Resignation.—His Philosophy to "Do the Best we Can."—The Enfranchisement of the Black and Taking the Oath.—The Georgia Union Club in Savannah.—James Johnson Provisional Governor.—His Pronunciamento.—His Macon Speech.—Civil and Moral Chaos.—Johnson's Mistake.—Clinging to Slavery.—The Dazing Effect of Freedom on the Black.—The Freedman's Bureau.—The African Problem.—Grim Satire of the Chicago *Times*.—A Black Deluge and White Bondage.

We come now to that anomalous, indefinable period in Georgia history, that must stand as the indescribable incongruity of her existence as a commonwealth. It is an epoch that baffles description. Neither war nor peace; marked by the anarchy of war without its dignity and a pretense of peace without its reality; ruled under a scorching travesty of law, alternating with bayonet despotism governed by mob caprice; this era of whimsical yet savage tyranny, known by the abhorrent name of Reconstruction, must ever remain the ridicule of patriotism and the contempt of statesmanship. It was the spawn of unbridled might. It violated every principle of good government. It sported wantonly with every sacred axiom of civil liberty. Inspired by hate, and operated with malice, it abortively retarded for a decade of years, the very object it claimed to seek, viz:—a solid and fraternal rehabilitation of a sundered Union, and a warring people. It was the cruelest bit of political harlequinade ever practiced by an enlightened civilization.

The mother that bore the monster Caliban, must have had the same feeling as she gazed upon the foul, ill-shapen, hideous creature, as the authors of reconstruction at this day, have in looking back upon the appalling abortion, they called into existence to re-unite in holy wedlock, the resentful sections of a riven nationality. The annals of the world show no more wicked and inexcusable botch of governmental polity. In using this strong language there is a meed of justice due to honest Southern men, who favored the principle of a martyr's submission to

hard terms, as the patriotic requirement of our conquered condition. And there is still another meed of justice due to honest Northern men, who condemned the drift of what they deemed a necesary policy. The acrimony of reconstruction was really no less intense and ruthless than the savagery of battle. Men were as mad and brutal, and reveled in fully as fiery passion. It is not altogether certain that men were not more hostile and implacable than when fighting, for the spilling of blood, and the clash of arms was a vent for the turbulence of hostility that toned down the inner heat, and satisfied the vengeance. But the repression of active deed during reconstruction made the inspiration of rancor over wrong flame the hotter inwardly.

Those reconstruction days were venomous times, spiteful, acrid, ferocious, absolutely unreasoning. Their fever was different from the war-heat, more stinging and unsparingly proscriptive. There was more execration about it, and utter disregard of magnanimity. It was an epoch of state history, that no Georgian can ever wish to see re-enacted. War has its glories, its stirring delirium, its triumphs, its renown. But that horrible era of reconstruction has nothing but bitter memories unredeemed by a single element of alloy. This era was to witness the most dramatic experience and tragical test of Gov. Brown. For years he had enjoyed such power and popularity as are vouchsafed to few men in this world. He had strongly swam, not floated, for he bravely breasted his own firm course, upon a flood current of public favor in as stormy a crisis, and as long as any leader ever did in human chronicles. He had made himself the foremost civilian of the Confederacy, engendering a reputation to be envied, with just enough of implacable enmity to give the proper seasoning to his celebrity, and point to his victories. He was destined to suffer an alternation of public favor, so sudden, so complete, so overwhelming and savage as to constitute the most extraordinary personal vicissitude of the extraordinary period. He was to be the victim of this remorseless odium too, without a shade of moral obliquity or a transgression that the most punctilious, social, moral or legal scruple could fasten to him.

He, himself, in his uncommon sagacity foresaw much of it and predicted it, but he had no conception of its reach and intensity. He had displayed exceptional daring and firmness in many trying emergencies. But he never had so ferocious a strain upon his adamantine nerve as in this reconstruction time, when he battled with the sentimental but herculean prejudices of the people. It was a frightful struggle, and must give him the horrors to this day. It battered and ostracized him, it made

him for a long time an exile and a practical outcast. It was enough to have crushed and crazed any man of ordinary or even extraordinary mold. Yet he not only resisted but he whipped it, and his political recuperation is as remarkable a case of sublime and indomitable political vitality as was ever seen. It was a grand test of the man's gigantic endurance and power. The writer was warmly on the other side in these fierce-hearted days, and in doing justice to Gov. Brown has nothing to recant of his own convictions. The day of passion, even in memory, has passed, and the time has come for rational fair-minded, good-tempered justice. Gov. Brown has been more fortunate than most men in outliving misconception, so terrific that the pangs of death were preferable. And he has won such a victory over aspersion as will make the remaining years of his eventful life happy and influential for good beyond estimate, and all the brighter for the antithesis of the long dark epoch.

The surrender left the state in military hands. Gen. Sherman, the most relentless practicer of war's severities, had, with a splendid statesmanship, endeavored to give effect to the true consistent theory of the Union movement, and considered the states restored to their autonomy when arms were laid down. Gov. Brown acted on this idea. He called the legislature together to meet in Milledgeville on the 22d day of May, 1865. Gen. Wilson, the Federal commander at Macon, had notified him to surrender the State troops, and he had done so, taking a parole as the commander-in-chief with Gen. Gustavus Smith and his division. Gen. Upton was in command at Augusta, Gen. Croxton in Macon, Col. B. B. Eggleston in Atlanta, and Maj. M. H. Williams in Milledgeville.

Just at this time the surprise was shot upon the state of the arrest of Alex. H. Stephens, Gen. Howell Cobb, Hon. B. H. Hill and Gov. Brown. The latter had returned to Milledgeville the day after he was paroled. The next night the Executive mansion was surrounded by an armed Federal force under the command of a captain who notified the Governor that he was instructed to arrest him. Gov. Brown denied indignantly the right to molest him, producing his parole. But the officer replied, "I am instructed by Gen. Wilson to take that from you." The Governor protested against the outrage, claiming that, as he had not violated his parole, the faith of the United States was pledged to protect him. The officer would take no denial, and there was no chance to resist the armed force, so the parole was delivered up. He was permitted just thirty minutes to make his arrangements for departure, and was not allowed a moment of privacy with his family,

from whom he was thus so unceremoniously torn. He was carried on to Washington and incarcerated in Carroll prison. He addressed a letter to President Andrew Johnson, recounting the circumstances of his parole and arrest, and urging the injustice and bad faith of the treatment. After the lapse of a week he was accorded an interview by President Johnson, who promised to investigate the matter. At the end of several days Gov. Brown's release was ordered on his parole, and he returned to Georgia.

Gen. Wilson issued an order forbidding the Legislature to meet, as called by Gov. Brown. His order stated that "Neither the Legislature nor any other political body will be permitted to assemble under the call of the rebel state authorities." The order further said:

"The people of the state are earnestly counseled to resume their peaceful pursuits, and are assured that the President of the United States will, without delay, exert all the lawful powers of his office to relieve them from the bondage of rebel tyranny and to restore them to the enjoyment of peace and order, with security of life, liberty and property under the coustitution and laws of the United States and of their own state."

There must have been a grim vein of satire in Gen. Wilson's composition. The idea of protecting the people of Georgia from "rebel tyranny" must have been the suggestion of a satirical humor inspired by an intuitive prevision of the coming cruelties of reconstruction.

In many particulars the Federal soldiers acted very cleverly. Gen. Wilson turned over to Gen. Ira Foster the Confederate mules, horses, wagons and harness, for distribution among the poor, and Col. J. H. R. Washington of Macon, was associated with Gen. Foster to aid in the distribution. In North Georgia, Gen. Wofford induced Gen. Thomas to loan the people 30,000 bushels of corn to feed them while making a crop, and to let the citizens have the straggling government stock scattered over the country, to help them to farm. These incidents do imperishable honor to the gallant Thomas. Gen. Wofford, by his tact and manly, liberal dealing, established a good understanding with the Federal Generals, that enabled him to serve the people effectually. The day after his surrender, which took place on the 12th of May, Gen. Judah paid him the compliment of asking him to prepare orders for the government of the country, and Gen. Thomas invited him to a conference for consultation. This northern section was in a dreadful condition, and its distress continued a long time, it had been so fearfully ravaged. Gen. Wofford was elected to Congress this year, but was not allowed to take his seat. He went to Washington to get an issue of provisions for the thousands of destitute citizens. The Demo-

cratic members of Congress could do nothing, and discouraged him. Nothing daunted, the resolute Wofford interested Judge Kelley of Pennsylvania, in the matter, who introduced and obtained the passage of a resolution authorizing Gen. Howard, of the Freedmen's Bureau, to furnish all of the supplies needed, and remedy the famine of this large section. Even in the middle of the war these upper counties had to be supplied by the state. It was a suggestive coincidence that this section of Georgia, the most reluctant in going into secession, was the most sorely punished by the resulting war.

Gov. Brown returned to Georgia to find that he was not allowed to exercise the functions of the Executive. The language of Gen. Wilson, speaking for Mr. Stanton, the Secretary of War, was :

"The restoration of peace and order cannot be entrusted to rebels and traitors who destroyed the peace and trampled down the order that had existed more than half a century in Georgia."

On the 29th of June, 1865, Gov. Brown, in order to facilitate the reorganization of the state government and remove any impediment that he might personally interpose to the solution of the great reconstruction problem, resigned his place in a creditable spirit of patriotism. His address was a dignified, manly paper, and a curiously characteristic enunciation of the man. It was the utterance of one who has been noted all of his thrilling life for facing unpleasant facts fearlessly, and meeting an emergency plumply, without dallying with improbable possibilities, or wasting time upon useless expedients. We have never in the South had a more practical man than Gov. Brown. He drives straight to substantial results, having the end in sight at the start, and it is his nature to work with a view to that end. He had given every energy of an unusually powerful nature to winning success in the war, and if all of the men of the South had shown his spirit we would have whipped the fight. When the cause was irretrievably lost, it was the irresistible nature of the man, and the movement of a profound common sense to seek the quickest exit from our dreadful abasement and utter ruin. Being conquered summed all the horrors of the situation. And the defeat following such an effort as we had made was the worst of all failures—that in which resistance had continued until we had desperately spent every resource, and were absolutely exhausted and helpless.

Gov. Brown recognized our condition, and faced it in entire frankness. The fighting day was gone. He had put out his best efforts while the war was on. When the thing was over, and the day had gone against us, and hope was at an end, the unconquerable practicality of

the man formulated, in that early hour, the policy which he consistently followed to the last, under such hideous pressure as was simply a miracle to have withstood. Here was his declaration of purpose, in his letter of resignation:

"The statesman, like the business man, should take a practical view of questions as they arise, and do for those dependent upon him the best that can be done, under all the circumstances, by which they are at the time surrounded."

Carrying out this idea Gov. Brown advised instant and entire acquiescence in the abolition of slavery, a cordial support of President Johnson's administration, and the prompt and general taking of amnesty for participation in the government by all not excepted. President Johnson had offered amnesty to all who took the oath of allegiance, except civil officers of the Confederate government, military officers above the rank of Colonel, naval officers above the rank of Lieutenant, Governors, Congressmen, Judges, West Point officers, and citizens worth over $20,000. Of the last class there were 12,470 in the state at the close of the war according to the tax books. Adding the civil and military officers excluded, we had in Georgia somewhere between fifteen and twenty thousand men excepted from voluntary amnesty, this number including the wealth and civil and political leadership of the State.

The two main subjects of consideration and action were submission to the enfranchisement of the black and taking the oath, both of them hard, bitter pills then ; one involving the unconditional renunciation of slavery, the cherished "corner stone" of our fabric for which we had gone to war, and the other, absolute allegiance to the power we had so long fought. Yet where was the power to resist these demands? Governor Brown took the initiative in urging an instantaneous compliance with them, and his letter breathes a strong spirit of patriotism.

In Savannah, on the 31st day of May, 1865, a meeting had been held of what was called the "Georgia Union Club." The President was Col. Wm. H. Stark, and the Secretaries L. A. Dodge and J. R. Sealy. A committee on business was appointed consisting of L. S. Bennet, M. Duggan, E. S. Riddell, E. Padelford, H. Brigham, Mr. Wadleigh and J. G. Mills, who reported resolutions which were adopted declaring that sympathizers with secession should not be supported for office, and asking for the appointment of a military Governor. And the following committee was appointed to visit Washington to secure the enforcement of the resolutions : W Woodbridge, Wm. H. Stark, Henry Brigham, W A. Stone, L. S. Bennett, E. S. Riddell, J. G. Mills, C. K. Osgood, Dr. P. Y. Clark, Ed. Padelford and H. B. Weed.

On the 17th day of June, Hon. James Johnson of Columbus was appointed by President Andrew Johnson, Provisional Governor of Georgia to reorganize the State. He had been a member of Congress, defeating Gen. Henry L. Benning in 1851. Gov. Johnson repaired to Milledgeville, and on the 13th day of July, 1865, he issued his Proclamation announcing his appointment, and calling a convention of the people to be elected the first Wednesday in October, 1865, and to assemble on the 4th Wednesday in October in Milledgeville. The oath of amnesty had to be taken to qualify citizens to vote. All redress for wrong was remitted to the military authority, and slavery was declared extinct. The most remarkable announcement in this military civil pronunciamento, was the following, which will give the reader an idea of the unhinged condition of the times.

"That the idea, if any such is entertained, that private property will be distributed or parceled out, is not only delusive, but dangerous and mischievous; and if any attempt should be made by any person or persons to effect such an object by violence or unlawful means, it will only secure to him or them speedy and merited punishment."

On the 15th of July, 1865, two days after his proclamation, Gov. Johnson made an address in Macon, in the City Hall, Gen. Wilson and Hon. Thomas Hardeman being with him on the stage, in which he made a frank statement of his powers and purposes. He declared that he was appointed for the single object of enabling the people of Georgia to form a government—that slavery existed no more, and the fact would have to be constitutionally recognized. Gov. Johnson proceeded to say some very unwelcome things, and it must be confessed that his manner of saying them was not calculated to woo adhesion to his counsel. He declared the war a "stupendous folly" of our own seeking. He concluded with the expression of the belief that Georgia, under the new régime, would increase in prosperity and civilization.

The condition of feeling among our people was very peculiar at that time. It is difficult to give a conception of it now. It was a civil and moral chaos. The South was crushed and bleeding. The only surviving faculty was the united capacity for grief and resentment. Property was gone. From the ashes of a universal ruin, men looked out upon a future apparently without hope. The old order of things was destroyed. All previous experiences had been set at naught. There was nothing to forecast the future. Men were called upon to do herculean things, to bury cherished prejudices, to clean away the saddening ruins of dear hopes, to sepulcher fierce animosities, to conform to loathsome necessities, to remodel everything precious, social, political

and moral. It was a cruel thing in Gov. Johnson to go to abusing the people, and the ungracious reproach he put on the helpless citizens in their misery handicapped him for guiding and serving them. When he closed his speech in Macon, his hearers retired in a sullen dissatisfaction. There was an unpleasant conflict of feeling in the state over slavery. Men clung to the dead body, and hoped by some miracle to either revive it, or utilize its remains. The black problem was a grim puzzle in that day. There was all sorts of eager, fanciful hoping about it. It was hard to realize its utter death, and to submit to it. There was hot and curious contention among our folks over the carcass. Strange as it may seem now, in this day of ripe acquiescence in African freedom, in the chaotic months following the surrender, and up to the October convention in 1865, the vital issue was whether slavery was dead or alive, and it was acrimoniously discussed. The Government had proclaimed slavery dead, the "Freedman's Bureau" was universally established, and the negroes, as "Freedmen," were making voluntary labor contracts, yet, strange to say, a large part of our people stuck to the hope of at least some modified form of slavery. The decisive opinion of Gov. Brown and other sensible men carried its weight, but was not conclusive, and the chimerical and mercenary fought this barren issue.

We, who are living under organized government, can form no idea of what it is to be as we were then without civil law, and threatened with an unknown and perilous future. It was an appalling situation that we were in, under the arbitrary control of armed men who had been our foes, who were ignorant of our laws and institutions, and only had the caprice of their own will to govern them and us. Add to this the anxiety about the ignorant, dangerous element of free black labor demoralized with the novelty of license, and there was room for thoughtful men to be troubled. The negroes were as unsettled and disturbed as the whites. The phase of the colored mind in the bewildering experience of freedom was a psychological study. During the war the negroes had generally manifested a noble fidelity to their masters. Their quiescence was remarkable in the light of the fact that they were the ostensible cause of the struggle, and their destiny was involved. This was due largely to their want of education and the hereditary spirit of subordination born of centuries of slavery.

When freedom came there was no proper conception of it in their ignorant intelligences. The sudden transformation from slavery unleashed a legion of wild aspirations, blending in their scope unbridled

appetites and luxurious indolence. The essence of their new liberty was relief from labor. Idleness and vagrancy were the delicious realization of freedom. It seemed impossible to make them believe that they must work and support their families. The country negroes flocked to the towns and cities to live upon the bounty of the government or steal. They had the most impracticable conception of their rights. The military masters found an elephant upon their hands. It was a quaint but grave burden to manage the obstreperous and fantastical freedman of that day. The orders published then are a vivid illustration of the times. And they were curiously inconsistent in their arbitrary disregard of individual right. It was a comical commentary upon this new era of Utopian abolitionism, that its beneficiaries, in the first flush of their sacred emancipation, rushed incontinently to theft and vagabondism. And the bewildered commanders issued pronunciamentos as despotic as any ukase of the Russian Czar. Capt. Nunan of the 3rd Ohio cavalry, commanding the post at Milledgeville, promulgated an order that reads like a travesty of law. Said this extraordinary fulmination of authority, "Freedmen that will use any disrespectful language to their former masters will be severely punished." They were not allowed to go from one plantation to another without passes. A daily inspection of negro cabins was made, to stop stealing and killing of stock. Trading with negroes from the country was prohibited to check the plundering of plantations, and all blacks had to have a written permit to sell things given by their employers, and specifying the articles to be sold. Those under contract, who run away from their employers, and those who harbored run-aways, were arrested. And yet, with all of this interference with personal liberty, there was a religious adherence to the name of "Freedmen," the outward symbol of freedom.

It is due, however, to truth, to say that during this transition period of pure bayonet rule, the Federal officers generally sought to administer justice and conserve the public interest. They had a hard time between the rapacity of the black and the unrest of the whites. They were obliged to repress the delusion of the negroes that they were to own the property of their old masters, or indeed any property they did not buy, and it was a difficult task.

In looking at this stupendous black problem, out of the blinding interest of those rancorous days, it presented an overwhelming difficulty for solution. The emancipation of four millions of slaves, worth two thousand billions of dollars, was a vast economic question. The regulation of this huge body of unlettered labor and hereditary ignorance,

and the establishment of proper relations for it to the body politic under an order of things antipodal to its entire previous existence and government, was the largest question of our vital century. It is not to be wondered that the matter was frightfully blundered and botched. For forty years the republic had been throbbing convulsively over the slave issue. The Union had split upon it. The greatest war of history had ended in its overthrow. And as before the crash, so this dominant black question, in the dubious day of national rehabilitation, clutched the country to the exclusion of everything else. In the hazy chaotic air just following the revolution, the abolition sentiment was wild over the stupendous achievement of African emancipation, and it kept up such a clatter as drowned for the time all other themes. Said one of the Western papers, the Chicago *Times*, of July 7, 1865, vividly describing this black craze :

"The African inundates us. Inky floods pour over the nation and threaten us with another and a worse than Noachic cataclysm. The black deluge ploughs through our streets, pours along the national avenues, and encircles the altars of religion."

This same paper concluded with this eloquent wail of grim satire :

"There is a chance in this country for philanthropy. There is a good opening for abolitions. It is to relieve twenty-eight millions of whites held in a cruel bondage by four millions blacks. It is a bondage worse than that of Helotism. It is one which retards our growth, directs our thoughts and absorbs our efforts. It drives us to war, it ruptures our government, it disturbs our tranquillity and threatens direfully our future. There never was another such a race of slaves as we ; there never was another people ground so complete in the dust as this nation. Our negro masters crack their whips over our legislators and our religion. They have established a tyranny over us worse than that of the Pisistradids.

"It is time there was something done for these twenty-eight millions of white slaves held in fetters by four millions of greasy, flat-footed Africans. Having labored and argued and legislated and fought for these our masters, for many years, it is time that we should be emancipated and enjoy the fruits of our labor. We see no hope, and the future of the country is as black as the subject of this article."

CHAPTER XXXIII.

THE ORGANIZATION OF THE STATE GOVERNMENT UNDER PRESIDENT JOHNSON'S PLAN.

Some Ludicrous Incidents of Bayonet Despotism.—The Macon *Journal* Suppressed because its Editor "Smiled" on taking the Oath.—Judge Erskine.—Mrs. Toombs.—Pardon of Gov. Brown.—Springing his Name for Governor.—The Conveution of 1865, Typifying the Resurrectiou of Dead Sovereignty.—Its Personelle.—Judge C. J. Jenkins its Leader.—Gov. James Johnson's Biting Message.—Abolition of Slavery.—Repudiation of War Debt.—Thaddeus G. Holt.—Fine Appeal for Disfranchised Citizens.—Gov. Brown aud the State's Cotton.—Investigation and Strong Tribute to Gov. Brown and his Subordinates.—Gov. Brown to Judge Jenkins.—Judge Jenkins Elected Governor.—Congressmen.—The Legislature.—Its Personelle.—Gov. Jenkins not allowed to be Inaugurated Immediately.—His Fiual Installation.—His Superb Inaugural.—State House Officers.—Frightful Coudition of the State.—Gov. James Johnson's Retirement.—The Black Code.—Gov. Browu's Advice Against it.—Gov. Jeukins' Message.—Inconsistency of Reconstruction.—Both in and out of the Union.—Judges Elected.—Important Legislation.

THIS epoch of genuine sword rule in Georgia was marked by some characteristic incidents of an arbitrary despotism. One in particular, while unspeakably ludicrous, and at this distance silly, illustrates alike the seriousness of that day and the fatuous drift of a capricious bayonet tyranny. The editor of the Macon *Journal and Messenger*, Mr. Augustus P. Burr, took the amnesty oath, and published in his issue of July 20, 1865, the oath with the editorial statement, that he had to "fortify himself for the occasion with an extra amount of 'Dutch courage,'" and that after "the performance we 'smiled' and we were fortified in rear and front."

Such badinage should have only elicited laughter or derision. Brig. Gen. C. H. Grosvenor, commanding the post at Macon, took it seriously, and in an order, unparalleled for its travesty of sense and its ridiculous folly, declared Burr's article "a high crime against the United States government," and an "open violation of the oath taken by the editor." This extraordinary order proceeded to declare solemnly "the editor is necessarily a bad man—incendiary in his character. His word is worthless, and his oath not to be trusted." Mr. Burr for his harmless pleasantry was arrested, his office seized and his paper suppressed. A similar incident occurred in Columbus. A man by the name of Betts, a sports-

man, jocularly insisted, when taking the oath, that his dog should do the same thing. For this he was arrested and imprisoned in jail some time.

Arrests were made upon the statement of a commissioned officer over his official signature. Judges were appointed by the Generals commanding districts, by Gen. Steadman at Augusta, and Gen. Washburn at Savannah. It was at this time that Judge John Erskine was appointed, by President Johnson, Judge of the United States district court, an appointment that he has held up to the present time, filling the bench with ability, kindness and dignity. With a large power to oppress the people, having questions to handle full of grave responsibility and bearing directly upon our prejudices, oftentimes burdened with duties odious to the people and disagreeable to our citizens, Judge Erskine has so deported himself as to win the respect and the confidence of men opposed to his political views in a long period of unprecedented political rancor and personal proscription.

An incident that attracted much attention at the time was an order from Brig. Gen. Wilde, assistant commissioner of the Freedmen's Bureau, to Mrs. Gen. Robert Toombs to vacate her home with only two weeks' provisions, as the premises were "abandoned property," to be taken and applied to the uses of the Freedmen's Bureau. Gen. Steadman, a humane and gentlemanly officer, revoked the cruel order and reinstated Mrs. Toombs. Thus were the liberties and property of the people made the shuttlecocks of men's caprices, and law and right quivered upon the shifting will of petty, irresponsible military despots in every county. It is little to be wondered, that a man so sagacious and practical as Gov. Brown, should have seen in the prompt acceptance of disagreeable stipulations, that could not be resisted, the escape from a condition of things abhorrent to every lover of law and liberty.

On the 7th day of August, 1865, Gov. James Johnson issued his proclamation that Ordinaries could administer the oath of amnesty, and that civil officers who had taken the amnesty, and were not excepted, could resume their official functions. Gov. Brown received his pardon in the middle of September, 1865. The "*Federal Union*," commenting upon the matter, used this prophetic language:

"Gov. Brown is now at liberty to devote his great mind and unsurpassed energies to the restoration of his beloved State to the rights and dignity of a sovereign State of the Union, and we feel well assured he will do all in his power to make her pathway smooth and her passage expeditious. Gov. Brown accepts the terms of reconstruction, and will take hold of the situation in downright earnest. He is not the man to stand idly by

while there is such important work to do. We expect, therefore, to see him among the foremost in shaping our new destiny as a commonwealth."

It was a striking demonstration of Gov. Brown's popularity, that as soon as his pardon was announced, the papers began to teem with articles urging his candidacy for Governor again. He was resolved, however, not to permit the use of his name. His houses on his farm in Cherokee county had been burned down, so that he could not go there to live. In December, 1865, he moved to Atlanta, where he has resided since, and where he was to experience the most dramatic episodes of a life that had already been startling in its eventfulness.

The convention ordered by Gov. James Johnson, assembled on the 25th day of October, 1865. It was called to order by Gov. Johnson. Judge Iverson L. Harris administered the amnesty oath. A number of delegates were excepted from amnesty, but President Johnson had generously pardoned them that they might serve. There was a peculiar solemnity and import in the convening of this body. By the rude hand of war the State had been remitted to chaos and disorganization. Ordinarily the momentous autonomy of governments grow from inconsiderable beginnings by steps of organized accretion, until they swell to the full-fledged dignity of august sovereign States. Here we had a great commonwealth of a million of people with a long and illustrious history, resolved by the crushing and brutal force of war into a tyrannous anarchy, and seeking the rehabilitation of its bloody and shattered nationality. It was an impressive and grave spectacle, and a tragic experience for the proud State. It was the regeneration of a grand republic. It was more—it was the imperial resurrection of the dead spirit of august popular sovereignty. The reconstruction of no State of the Confederacy was looked to with the same interest that invested Georgia. More instrumental in the inception of the storm, more powerful in its conduct, more devastated by its ravages, Georgia, in the restoration period, was regarded with a deeper interest, and filled a more influential and exalted rôle than any of her sister States.

Ex-Gov. Herschell V Johnson was elected president, and James D. Waddell secretary, of this important convention. Among the leading delegates was Augustus H. Kenan, J. R. Parrott, afterwards president of the convention of 1867–8; Judge C. B. Cole, T. G. Holt, now Judge of the City Court of Macon; Thomas E. Lloyd, E. C. Anderson, Solomon Cohen, W F Wright, John C. Nichols, a Congressman since; David Irwin, Gen. A. J. Hansell, John H. Christy, a noted editor; M. A. Candler, a Congressman since; Morgan Rawls, a Congressman since; N.

J. Hammond, now a Congressman; J. I. Whittaker, G. W Adair, Niles W. Lewis, Gen. Eli Warren, C. T. Goode, J. H. Blount, now a Congressman; Wier Boyd, Phil Cook, now in Congress; E. G. Cabaniss, Joshua Hill, T. P Saffold, William Luffman, Hines Holt, A. H. Chappell, J. J. Floyd, P. Reynolds, J. D. Matthews, J. A. Blance, J. L. Warren, Chas. J. Jenkins, John P King, ex-president of the Georgia railroad; George R. Black, now in Congress; J. L. Wimberly, recently Judge of the Superior Court; Gen. M. Bethune, James L. Seward, A. T. McIntire, since in Congress; H. D. McDaniel, since a State Senator; Judge J. S. Hook, William M. Reese, since Judge; and William A. Harris.

The body was an able one, and patriotic, and conservative. The unquestioned leader of the convention was Judge Charles J. Jenkins, upon whose clear judgment and crystal honesty, the members reposed with an unreserved trust. Gov. James Johnson sent in a message to the convention, a cold, brief document, stating the condition of the commonwealth, and urging certain measures. He said that the cotton purchased by the state had been captured or burned, and the assets held abroad were drawn against, to their full value. The state road was rebuilt by the United States, and turned over to the state, on the 25th of September. The public debt was $20,813,535, of which $2,667,750 was ante-war securities, and $18,135,775 incurred during the war. He advocated the repudiation of the latter, in language harshly condemnatory of the war. He declared all who participated in the effort to sever the country, violators of law, and the overthrow of the Confederate cause an extinction of the unconstitutional debt. His words were very acrimonious, and the temper of this curt message, so unsympathetic and biting, as to have placed him unpopularly with the people.

The convention continued in session until the 8th day of November, 1865. It repealed the ordinance of secession, repudiated the war debt, and abolished slavery. A new constitution was adopted. The state was divided into seven Congressional, and forty-four Senatorial Districts. Perhaps no action of the convention excited a deeper feeling than the repudiation of the war debt. The matter had been animatedly discussed long before the convention, and the people were against it. But when both Mr. Seward and President Johnson telegraphed that the extinction of the debt was necessary to the restoration to the Union, the repudiation was reluctantly done, and eighteen millions of liability was wiped out at one stroke, upon the behest of Federal power. It is a valuable historic fact, in connection with this unwilling and compulsory repudiation, and an honorable tribute to the Convention, that

Gov. James Johnson telegraphed to President Johnson these significant words, "We need some aid to reject the war debt." Two members of the convention, Col. A. T. McIntire of Thomas, and one other, voted against the measure anyhow.

Among the more notable acts of the convention was the passage of an address, asking amnesty for our disfranchised citizens. Hon. Thaddeus G. Holt, of Macon, was the author, he being the chairman of the committee appointed for the purpose, consisting of T. G. Holt, Jr., M. A. Candler, C. T. Goode, J. I. Whitaker and G. R. Black. This exquisite memorial deserves reproduction, alike for the beauty of its sentiment and diction as for the tribute it paid to our people.

"His Excellency, Andrew Johnson, President United States:

"The people of Georgia, through her delegates in Convention assembled, respectfully and earnestly invoke the exercise of the Executive clemency in behalf of those of our fellow-citizens embraced within the exceptions to the late Amnesty Proclamation, who may as yet remain unpardoned.

"Including, as the vast roll of her disfranchised citizens does, many of her finest intellects and purest patriots, and involving much of her available wealth, the Convention of our State respectfully recommend these men to your magnanimous clemency, as our needed coadjutors in the mighty task of re-organization, and as worthy subjects of your most generous kindness.

"The Convention pledges their future fidelity to the government of the United States. The very tenacity of their devotion to the South in the late struggle, the very heroism and magnitude of their efforts in an unsuccessful cause, and the very chivalry of their characters, as evinced in the trying vicissitudes of a gigantic war, will be your best guarantee of the virtue of their resignation to the result, and of the sincerity of their allegiance to a government which disarms them by its magnanimity, enchains their gratitude by its kindness, and punishes them only with its clement pardon.

"Believe us, sir, there is no looking back. The State of Georgia is prepared to do her whole duty in and to the government, and she now asks for the restitution to her control and use of her entire citizens, for whose integrity and loyalty she gives you her most solemn pledge, in order that they may assist her to work out from her travail and desolation the high destiny she still trusts is in store for her and them, under a government that has just emerged unharmed from the most desperate convulsion of the world's history, and whose tremendous power will be infinitely strengthened by its immeasurable benignity."

Captain, now Judge Holt, the author of this fine paper, had been one of our most gallant cavalry officers, and was the scion of that large family of Holts whose name is an honored and powerful one in Georgia annals.

The convention provided for an election of state officers and congressmen on the 15th of November, 1865. It changed the appointment of judicial officers by the Governor, with the consent of the Senate, to the election of Supreme Court Judges by the Legislature, and of Superior

Court Judges by the people of their respective districts. An important matter investigated was the disposition of the cotton bought by Gov. Brown for the state during the war. There has at various times been some attempt to reflect upon Gov. Brown in connection with this cotton by those unacquainted with the facts. The records of this convention and of the Legislature of 1865–6 show every bale of cotton and every dollar of money realized from the sale of cotton properly accounted for. A committee consisting of Thomas P. Saffold, Chas. S. Jordan, Sr., and O. A. Lochrane, investigated the subject of the state's financial transactions during the war, for three months, advertising for and exhausting every source of information. This committee fully exonerated every one of the state officials from any suspicion of wrong doing.

Gov. Brown bought 6,432 bales of cotton for the state under act of 1864, for $1,500,000. Of this 382 bales were Sea Island cotton. The disposition of this cotton was as follows:

Exported safely Upland,	1,556½
Lost at sea,	58
Sold to Confederate Government,	282½
Used to pay freight on imports,	361
Sold to Mr. Brigham,	926
Burnt,	2,642
Captured,	223
Sea Island, burnt,	202
Sea Island, captured,	82
Exchanged and lost by owner,	96
	6,432

There was also bought 275 boxes of tobacco, which was shipped to Wilmington, and taken possession of by Gen. Johnston's army at Timmonsville. Vouchers, receipts and drafts covering every dollar of the money in Europe and Nassau were shown by Gov. Brown, and the committee make this sweeping and unanimous statement:

"Our conclusion is, after the most rigid scrutiny into the public and private affairs of these officers, from Gov. Brown down, that not one of these rumors has been sustained by the slightest proof. Instead of fortunes having been made by them, we have found them generally poorer than when they went into office."

This is the solemn official record upon this matter, that has stood from that day to this unrefuted and irrefutable, demonstrating a matchless integrity in vast transactions where the control was almost unlimited. The enormous sum of eighteen millions of dollars was disbursed during the four years by the same set of officers, under the distractions and

HON. THOMAS HARDEMAN,

SPEAKER OF THE GEORGIA HOUSE OF REPRESENTATIVES.

temptations of the changeful drama of war and subjugation, yet so perfectly had the accounts been kept, and so methodically had the huge business been managed, that after three months searching examination, a committee of able and unimpeachable gentlemen were able to say, after tracing every dollar, that these great duties had been discharged "in times of great public trouble with singular ability and official integrity." This is a grand tribute to Gov. Brown's administration, and a fitting climax of Georgia's resplendent war record.

Gov. Brown, having unconditionally declined to allow the use of his name for Governor, the universal thought turned to Judge Jenkins. Gov. Brown, on the 30th of October, 1865, voicing the public desire, addressed Judge Jenkins requesting him to permit the presentation of his name to the people for Executive responsibility. Messrs J. P King, A. H. Kenan, R. A. T. Ridley, Wilson Lumpkin, Asbury Hull, E. A. Nisbet, Washington Poe, Wm. C. Redding and others urged the candidacy. Judge Jenkins replied on the 2d of November, 1865, in a letter that is a model of good taste, elegant rhetoric and high sentiment. The following expressions deserve preservation:

"An honest and intelligent review of our past half century convicts us of two egregious errors; too great proneness to agitation, and too much division among ourselves. If my fellow-citizens detect in me aught of vindictiveness for past divisions, or of proscription for honest opinion's sake, *let them all proscribe me.*"

There was no opposition, and Judge Jenkins was elected Governor by the unanimous vote of the people, receiving 37,200 votes, a proud and crowning tribute to this distinguished Georgian. The following gentlemen were elected to Congress, but were never seated. 1st District, Solomon Cohen; 2d District, Phil Cook; 3d District, Hugh Buchanan; 4th District, E. G. Cabaniss; 5th District, James D. Mathews; 6th District, J. H. Christy; 7th District, W T. Wofford.

The legislature assembled on the 4th day of December, 1865. William Gibson was elected President of the Senate, and Thomas Hardeman, Jr., Speaker of the House. Among the leading Senators were George S. Owens of Savannah, David E. Butler, Dr. H. R. Casey, and J. A. W Johnson, of Dalton, an eloquent criminal lawyer of North Georgia. Mr. Butler and Col. Johnson are both living, and are among the most effective public speakers we have in Georgia. Among the leading representatives were Jenks Jones, ex-Congressman, Gen. G. P Harrison, Philip M. Russell, R. L. McWhorter, C. W DuBose, T. B. Cabaniss, J. M. Russell, Thos. G. Lawson, now Judge, George Barnes, now Georgia member of the National Democratic Executive Committee,

C. Snead, now Judge of the Augusta Circuit, J. D. Stewart, now Judge Flint Circuit, E. H. Pottle, Judge Northern Circuit, Hon. Thomas O. Wicker, and Col. R. J. Moses.

Gov. Johnson's message was a plain, brief document, mainly urging the ratification of the 14th amendment to the United States Constitution abolishing slavery. On the 6th of December, 1865, a legislative committee notified Gov. Jenkins of his election, and asked him to appoint a time to be inaugurated. Gov. Jenkins replied, stating that he had received the following communication:

"EXECUTIVE OFFICE, MILLEDGEVILLE, Dec. 4, 1865.

"HON. C. J. JENKINS:

"*Dear Sir*: In the discharge of an official duty I beg leave to inform you that I have been directed by the President of the United States to continue to act as Provisional Governor of the State of Georgia, until relieved, and my successor recognized by the Government. Your obedient servant, J. JOHNSON,

Prov. Gov. of Georgia."

Gov. Jenkins designated the 16th of January, 1866, for his inauguration, provided by that time he should be recognized by the United States government. The legislature immediately ratified the thirteenth amendment abolishing slavery. A law was also passed allowing Freedmen to testify in the courts. This was advanced action of Georgia on the negro question, and was an indication of the liberal spirit that governed our people. On the 11th of December, 1865, President Johnson telegraphed to Gov. Johnson:

"The Governor elect will be inaugurated, which will not interfere with you as Provisional Governor. You will receive instructions in a few days in regard to being relieved as Provisional Governor. Why can't you be elected as Senator?"

On the 14th of December, 1865, the variegated drama of reconstruction furnished the gladdening act of the inauguration of our noble Jenkins as Governor. It was a grateful spectacle for the State, and yet it was marked by most unpropitious surroundings. The day was cold, raw and rainy, and there was lacking the usual display of beauty. It seemed as if nature was giving token that the episode was a temporary and ineffectual part of the tragic comedy of reconstruction. Gov. Jenkins' inaugural was a very fine paper, eloquent, ornate, stately, earnest, statesmanlike. There was a singular felicity of language and idea in its strong and polished sentences. It breathed a spirit that every patriot could endorse. It contains some striking paragraphs. Said this masterly address:

"Five years since reason abandoned and the sword assumed the arbitrament. We open not that record of violence; would that we could stamp it with the seal of oblivion.

Now the wager of battle is over, and the award is against us, as parties to the issue. Our whole people have risen up and accepted it as by the will of one man. What valor failed to achieve, wisdom has promptly renounced; and truth herself has set her signet to the attestation of the deed."

With exquisite beauty and wisdom he added:

"A tempest of unsurpassed fury has swept over the land. The elements do not subside into their normal quiet instantaneously with the lull of the wind, the sleep of the lightning, and the hush of the thunder."

This extraordinary and unsurpassable inaugural was most remarkable in its discussion of the negro question. Its kindness to the black race was unstinted yet discriminating. It abounded in happy utterances. Emancipation had come upon us like the "destructive engulfing of the earthquake in volcanic localities." The realization that it was unalterably fixed was the first step toward the adjustment of the new system. The blacks had exhibited a fidelity in the past and a decorum under the distracting influences of the present "without a parallel in history." They should be protected against the "crafty machinations of the designing" as well as the "fatal delusions of social equality." This part of the address thus fervently concluded:

"God is merciful! God is mighty! God in his abounding mercy and in the plenitude of his might so dispose our fortunes and theirs, that each class shall be to the other a blessing, not a curse."

The extracts from this superb enunciation will be well ended with this spendid and prophetic paragraph:

"Peace restored—the machinery of government once more put in operation—public and private enterprise aroused from their long slumber—educational institutions reopened—our sacred temples and our altars with their holy ministrations frequented as of yore, and the blessing of Almighty God overspreading and vivifying all earnest effort, Georgia will illustrate the teachings of adversity by speedily achieving an enlarged prosperity."

The General Assembly only remained in session until the 15th of December, when it adjourned until January 15, 1866. The following State House officers were elected: N. C. Barnett, Secretary of State; J. T. Burns, Comptroller General; John Jones, Treasurer, and J. W Burke, public printer. Col. Barnett is still the Secretary of State, enjoying a ripe old age, and honored with a degree of popular confidence founded upon a life of spotless integrity and a character full of manly and social excellencies.

The condition of Georgia at this time was full of anxiety for patriots. There were organized bands of thieves all over the State under the lead of bad white men. Every newspaper teemed with accounts of robbery.

Stock was stolen every night, and punishment was rare. In localities were shocking exhibitions of lawlessness and crime. Large numbers of the Federal soldiers had been withdrawn from the State, leaving the people without the protection of their authority and arms. The bad element of the blacks had become violent, and reveled in a carnival of vicious insubordination, and the courts were not in sufficient punitive operation. Colored incendiaries from abroad were stirring about among the negroes and stimulating them to lawlessness. The cities and towns especially were scenes of murder, plunder, assassination and riot. In this bad condition of order Gov. Johnson contemplated the remedy of organizing and arming companies of discreet volunteers.

On the 19th day of December, 1865, Gov. Jenkins received the following telegram from Washington, which terminated the temporary administration of Provisional Governor James Johnson, and put upon its legs what seemed the permanent state government of the people. The cherished end seemed at last in sight, and the travail of a painful reconstruction gloriously ended.

"WASHINGTON, D. C., 19th December, 1865.

"TO HIS EXCELLENCY THE GOVERNOR OF THE STATE OF GEORGIA:

"*Sir*,—By direction of the President I have the honor herewith to transmit to you a copy of a communication which has been addressed to his Excellency, James Johnson, late Provisional Governor, whereby he has been relieved of the trust heretofore reposed in him, and directed to deliver into your possession the papers and property relating to the trust.

"I have the honor to tender you the coöperation of the Government of the United States, whenever it may be found necessary, in effecting the early restoration and the permanent prosperity of the state over which you have been called to preside.

"I have the honor to be, with great respect, your most obedient servant,

"W. H. SEWARD."

The thrill of joy that pulsed through the smitten state at the publication of this joyful document can be better understood than described. It was the practical realization of that familiar holy history of the promised land after a toilsome pilgrimage of unspeakable woe. But the drama of reconstruction was the kaleidoscope of a harlequin. The seemingly glad recovery of our political hope was the beginning of the dreariest and most fantastic political tragedy of the world's annals. And the consistency of the unparalleled picture can only be preserved in the mind by connecting with this graceful and dignified installation of a splendid representative state government, its brutal and ignominious overthrow and expulsion, and the erecting in its place of a dynasty of force, plunder and execration.

The Legislature re-assembled on the 5th day of January, 1866. The most serious subject for action was the government of the emancipated blacks. The Convention had authorized Gov. Johnson to appoint a committee to prepare a negro code of laws. That committee consisted of Judge Ebenezer Starnes, W Hope Hull, L. E. Bleckley and Samuel Barnett, and was a rare selection of able, brave and pure-minded men. These commissioners, after long and conscientious preparation, presented to the Legislature the result of their labors—a code of laws just and liberal to the freedmen, and safe to the whites. It gave ample security to rights of person and property, but withheld political privileges. This code was a matter of solicitous thought and patriotic concern among the members, and the opinion upon it varied and tremulous. Several of the General Assembly, R. A. T. Ridley, F. A. Frost, D. E. Butler, John D. Stewart and Jesse A. Glenn addressed a letter to ex-Gov. Brown, asking his opinion. On the 14th of February, 1866, he replied in a letter of masterly wisdom. It was a singularly clear-cut, sententious, practical enunciation of view, and in the light of results wonderfully correct. It took positive square ground against a special *Freedman's Code*, or any laws discriminating in court rights and remedies. He said the United States Government would not permit the enforcement of a separate penal and civil code. He used this expression, which was a vague and intuitive premonition of the coming spread of the colored revolution: "Unless madness rules the hour, they will never be placed upon a basis of political equality with us."

But even this far-sighted gentleman did not realize the inexorable drift of events under the changed order of things, and at that time, as always, he manifested his thorough Southern sympathy ; and he did not advocate in advance the inauguration of measures whose acceptance he afterwards advised as a matter of necessity. It is important to look at this in properly estimating his after course, which entailed upon him so much bitter odium.

Gov. Jenkins in his message called attention to a curious inconsistency of the reconstruction going on. President Johnson had proclaimed the amendment to the United States Constitution, adopted by the vote of Georgia, which had been solicited and accepted in recognition of her rights as a state of the Union. Yet the incongruous sight was witnessed of the state being both out of and in the Union at the same time. If she was out, the amendment adopted by her vote was void. If she was in, her rights were perfect. This anomaly of her position was one of the farcicalities of that reconstruction that marked the end of our great war.

The legislature elected as Judges of the Supreme Court, Dawson A. Walker and Iverson L. Harris. Walker beat Gen. Benning and Richard F Lyon. Harris beat Hiram Warner, Richard H. Clarke, Barnard Hill and John Schley. The defeat of Gen. Benning, a soldier, by Judge Walker, a non-combatant, was a strange victory, and keenly felt by Gen. Benning. It was largely due to William Dougherty, the great lawyer who fought Gen. Benning about his decision in the Columbus Bank cases, as has been noticed before in this volume. The General Assembly elected Alexander H. Stephens and Herschell V Johnson, United States Senators. Mr. Stephens beat Joshua Hill. Mr. Johnson beat Gen. L. J. Gartrell, C. Peeples and James Johnson. Gen. Gartrell received ninety-three votes on one ballot, the contest being a lively one. He finally withdrew on the sixth ballot when within one vote of an election. Neither of these senators were ever admitted to their seats. During the session, Mr. Stephens was formally invited to address the legislature, and his speech appears upon the journals of the General Assembly, —an unwonted and distinguished compliment. The speech was a profound and statesmanlike utterance, philosophical, dispassionate, conciliatory. It took the distinct ground that "we must accept the issues of the war, and abide by them in good faith."

The legislature adjourned on the 13th day of March, 1866. Among the important measures passed, were stay and homestead laws; appropriations to repair and equip the state road, and buy artificial limbs for maimed soldiers, and resolutions complimenting President Johnson, and requesting the withdrawal of soldiers. Gov. Jenkins gave a marked evidence of his firmness and courage, by vetoing the stay and homestead laws in the teeth of a universal public clamor for these measures as a relief in the pecuniary stress of the state. Conceiving them unconstitutional, the brave and honest statesman refused them his sanction under the solemn obligation of his oath. But the stay law was passed over his veto.

CHAPTER XXXIV

THE SECOND IRON HANDED AND WHIMSICAL PHASE OF RECONSTRUCTION.

The Memorable Strife between Andrew Johnson and Thad. Steveus.—The Fourteenth Amendment.—Negro Citizenship and White Disfranchisement.—The Fierce Reconstructiou Committee of Congress.—National Union Conventiou.—Gov. Jenkins' Message against the Fourteeuth Amendmeut.—The Legislature Rejects the Ameudment.—Conservatism Baffled at the North, and the South Trembling in Radical Clutches.—Two Reconstructious.—Practical State Matters.—The Federal Court.—Ex-Gov. Brown and his Triumphs on the Test Oath and the Stay Law.—Freedmen's Bureau.—Ladies' Memorial Association.—Emigration to Mexico and Brazil.—The Sherman Bill.—Negro Suffrage Added.—Andrew Johnson's Impeachment.—The South Inflamed.—Gov. Brown's visit North to Probe the Situation.—His Fateful Letter advising Acceptance of the Conqueror's Terms as the only means of State Regeneration.—A Letter that Scorched his Career for Years.—Ex-Gov. Brown Predicts its Unpopularity.—The Terrific Storm of Odium he Met.—His Frightful Associations.—The "Carpet Bagger."—T. M. Norwood.—Gov. Jenkins' Suit to Test the Sherman Bill.—An Instructive Antithesis.—Brown and Jenkins.

THE year 1866 marked the inauguration of one of the most exciting civil conflicts in the history of our great republic. This was the ever memorable struggle between the President and Congress of the United States, over the reconstruction of the seceded and conquered States. President Johnson had exacted the abolition of slavery and the repudiation of our war debts. These demands had been complied with, and the Southern States reorganized. Congress refused the admission of our Senators and Representatives and remitted the matter of reconstruction to a special committee. The extreme Republicans of the North were not satisfied with the concessions made by the South, and the fight began over President Johnson's policy of national restoration. In April, 1866, President Johnson proclaimed peace restored, and the great insurrection at an end. The Southern insurrection was indeed over, but the war waged none the less furiously against the South, not a war of blood, but a war of malice and proscription. Thaddeus Stevens led the crusade, whose object was the further humiliation of the South, and the crusade ended in the passage of the Fourteenth Amendment to the Constitution of the United States. This amendment made negroes citizens, reduced representation in Congress in pro-

portion to citizens refused the voting privilege, and disfranchised all o our citizens who had held office before the war and fought on the South ern side. It was fiercely opposed all over the South. Our people stooc solidly against it. The measure excited a heated discussion over the whole country Another measure that was passed over President John son's veto, and which excited a deep feeling and a hot argumentative conflict, was the Civil Rights bill.

The implacable Reconstruction committee of Congress, headed by Thad. Stevens, continued fulminating its harsh propositions in swift succession, which congress after stormy debate passed. A resolution was forced through that the rebellion deprived the South of civil government, and it was the duty of Congress to provide them with civil governments, to continue suspension of habeas corpus and keep soldiers in the South to protect the blacks and Union citizens. Then another was ground out that no Senator or Representative be admitted from any Southern state until Congress shall have declared such state entitled to representation. Upon these came the Fourteenth Amendment, which the Southern States must ratify to gain admission.

The National Union Convention was held in Philadelphia on the 14th of August, 1866, to stop, if possible, this radical mischief. Gov. Brown presided at a county meeting in Fulton county to arrange for delegates, and made an admirable speech that was widely copied and complimented. He used this language: "While we cannot accord to the negro race social and political equality, I believe it is the fixed purpose of nineteen-twentieths of the people of Georgia to see that they have legal equality and that justice and equity be constantly administered." The delegates appointed from Georgia were: State, A. H. Stephens, H. V Johnson, A. H. Chappell and D. A. Walker; District, W B. Fleming, J. B. Gordon, Eli Warren, J. L. Wimberly, H. Warner, E. H. Worrell, T. Hardeman, P W Alexander, Linton Stephens, A. R. Wright, J. H. Christy, R. McMillan, R. F. Lyon, Jas. Milner. But all was unavailing. The extreme Republicans had the power and they pushed it ruthlessly. Their whole course was an unbroken carnival of inconsistency and despotism. They fought the war for the Union, and after success themselves smashed it. They battled for the constitution, and having established, they then ignored and violated it. They were for party and not the country. They acted against law, justice, humanity and the constitution, yet that mattered nothing. And opposition to their demands but increased the number and severity of their exactions. The Fourteenth Amendment disfranchised the leading whites of the

South, but it did not confer suffrage on the negro. The rejection of the one brought both, and it was a perception of the futility of non-compliance, and the injury of opposition in evoking additional wrongs and accumulating conditions of humiliation that impelled the practical wise-visioned Brown to advise ceasing unavailing contention, and stop oppression by the acceptance of irresistible terms.

The legislature met in November. Gov. Jenkins in his message made a masterly argument against the Fourteenth Amendment, which echoed the public heart. The joint legislative committee, headed by B. A. Thornton of the Senate, and R. A. T. Ridley of the House, made a masterly and unanswerable report, written by Col. R. J. Moses against it, which took these two simple and impregnable positions:

"1. If Georgia is not a state composing a part of the Federal government, known as the Government of the United States, amendments to the Constitution of the United States are not properly before this body.

"2. If Georgia is a state, composing a part of the Federal government, known as the government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution, and are proposed in such a manner as to forbid the legislature from discussing the merits of the amendments without an implied surrender of the rights of the state."

This superb report concluded with this resolution:

"*Resolved*, That the legislature of Georgia declines to ratify the proposed amendment, adding a fourteenth article to the constitution of the United States."

The Senate voted unanimously in favor of it, and the House passed it with only two dissenting voices, Ellington of Gilmer, and Umphrey of Fannin. Such unanimity has rarely been witnessed. The two irresistible considerations governing the rejection of this amendment were that it was without the authority of the constitution, and it made our people the ignominious authors of the disfranchisement of our own best citizens. The year 1866 closed with conservatism baffled and beaten in national matters, and the South panoplied in argument and robed in right, yet trembling in the cruel clutch of a pitiless Radicalism, angered by the contemptuous rejection of its bitter terms by its helpless victim. We had enjoyed two reconstructions. Sherman accepted our surrender on terms of the immediate restoration of the States to the Union. Johnson repudiated this consistent result, and, compelling the abolition of slavery and our war debts, organized us on these ideas. Congress upset Johnson as he had overthrown Sherman, and demanded of the South the voting of citizenship to the negro and the disfranchisement of the Southern leaders. This was spurned, and the high-contracting parties stood lowering at each other in the throes of a battle

more bitter than the one of bullets so recently ended. But it was all one-sided. There could be but one result. We were powerless; they implacable. Resistance did not convince, it only stimulated anger. Failing of effect, opposition invited increased exaction, and put amicable agreement out of the question in the savage temper of our adversaries and the unbridled force of our victors. Looking back to that burning day, and reviewing the perplexities of that emergency, there was no choice but between the two extremes, the acquiescence of Brown or the deathful hostility of Toombs. The one gave peace, the other wooed extermination. The situation presented no middle ground seemingly. But the medium line was pursued, and the writer was its advocate, and there came in due and inexorable sequence an additional installment of this hybrid reconstruction, more fantastic and harsh than ever.

During the year 1866 a good deal was done in practical State matters. Maj. Campbell Wallace was put in charge of the State road, and Col. Wm. M. Wadley made president of the Central railroad. Mr. T. W Chichester borrowed $400,000 in New York for Gov. Jenkins. Nearly $200,000 was spent to buy corn for the poor of the State. Some $3,630,000 of State bonds had been issued to repair the State road, pay past due coupons and bonds and buy corn, swelling our State debt from $2,676,500 to $5,840,000. Notwithstanding our desperate condition of poverty and ravage, our securities brought ninety cents on the dollar. And in spite of the fact that we were not regarded as a State, the general government levied upon the State as a State her quota of a direct tax levied on the Union, her part being $584,067.33. There had been granted in the South by President Johnson 7,197 pardons up to the first of May, 1866, of which 1,228 were in Georgia. Judge Erskine had opened the Federal Court in Savannah on the 9th day of May, 1866, with Henry S. Fitch, a brilliant Indianian, as United States District Attorney. Judge William Law, who had practiced forty-nine years in that court, applied for admission and was refused because he could not take the test oath. Ex-Gov. Brown represented him in attacking the constitutionality of the law creating the test oath, and made a speech of great length and magnificent power and legal learning. Mr. Fitch made a reply of uncommon merit and eloquence. Judge Erskine ruled the oath unconstitutional and Judge Law was admitted. The Supreme Court of the United States afterwards declared the test oath unconstitutional.

Ex-Gov. Brown also was employed in an important case involving the

constitutionality of the State stay law, and made a speech of surpassing erudition and logic. The entire people were deeply interested in this absorbing question, and the case was looked to with profound intensity of feeling. He won his case, the supreme court deciding the law constitutional. Afterwards, when on the supreme bench as Chief-Justice, he ruled in favor of the constitutionality of this class of laws.

A system of county courts was created, the judges being elected by the people of each county, and holding office for four years without salary, but allowed fees. These were important courts, having jurisdiction of civil cases, except titles to land, and divorces, and criminal cases except those capital. The Freedmen's Bureau had an almost exclusive jurisdiction of negro affairs. It will ever remain one of the political curiosities of that unique time. The power in these petty Bureau officials was autocratic and sweeping. There was never in the world such a travesty of law. These agents decided titles to land, granted divorces, arrested and imprisoned for debt, made compulsory labor contracts for blacks who would not make them, and arbitrarily fixed the value of the services of laborers at from $12 to $15 a month with board and lodging, the laborer, however, to furnish his own clothing and medicine. There were so many outrages perpetrated by these agents, and the clamor was so great, that finally the heads of the Freedmen's Bureau were relieved in Georgia, the Carolinas and Alabama, and military officers were put in charge. It was this year that the planters began the suicidal farm policy they have so pertinaciously pursued ever since, and which has resulted in so much pecuniary embarrassment, of raising cotton to the exclusion of provision crops. The West became the corn crib and smoke-house of the South. Provisions were bought on time at enormous usury, and cotton raised at a loss, and thus the planters became more involved every year. There was a cotton craze, that for a while seemed incurable.

Among the tender and touching things done by the General Assembly was the appropriation of $5,000 to the Ladies' Memorial Association, under the lead of Mrs. Charles J. Williams of Columbus, and Miss Mary A. Green of Resaca, to gather together our soldier dead scattered about and properly mark their graves. Some exquisite speeches were made in the Legislature by several of the members, among them, Hon. James M. Russell, Col. R. J. Moses, Col. Claiborne Snead and J. A. Glenn. This Legislature also granted state-aid to the Macon and Brunswick railroad, after a very animated struggle. Ex-Gov. H. V Johnson

was re-elected United States Senator. In 1866, J. W. Clift and C. H. Prince qualified as members of Congress.

Both during 1865 and 1866 there was considerable agitation of the subject of emigration to Mexico and Brazil, and quite a number foolishly expatriated themselves. There was a small colony in Mexico, among whom were Generals Magruder, Hindman and Price and ex-Gov. Harris of Tennessee. But Gen. Lee advised against it, and the good sense of our people condemned such expatriation. And finally the exiles themselves returned, after a bitter experience of hardship in foreign lands. It was the brave thing to stand to our dear land in her adversity, and raise her from her sad ashes. Amid all the obstacles and distractions, the drawbacks and disturbances, there had been a little progress in prosperity. Our people had gone to work bravely. Our cities, especially, had picked up somewhat. Our railroads had been rebuilt, our farms restored in some degree. But the Radical policy had hindered rehabilitation, creating distrust and engendering discouragement. Our agricultural labor, the basis of prosperity, was unsettled and in an indescribable condition of demoralization. Adventurers had come in to control this ignorant class, and poison them against their old masters. There was a brooding sense of calamity in the State, and the outlook was gloomy enough.

In this nebulous state of darkness the Radical element in Congress, relentlessly pursuing the strife with President Johnson, and imagining the interest of their party to lie in a truculent increase of severity, passed a measure offered by Mr. Sherman, tendering back the same Constitutional amendment that had been rejected, with negro suffrage added. The other gentle features of this grim Sherman bill were simply the transformation of our state government into a Provisional concern, handicapped with a bayonet absolutism, and subject to the imperial caprice of an acrid Congress. Truly it would have been a marvel of ingenuity that could have conceived a more incongruous abortion of politico-military polity than this. What a commentary it was, too, on the rancorous and unreasoning popular sentiment backing it at the North, that sturdy, stern old Reverdy Johnson, true and courageous friend of the South in Congress, who had fought a generous battle for us, sadly voted for this bill as the best he could get, and the kindest measure possible. This was reconstruction with a vengeance. Andrew Johnson gamely vetoed it in words of grand force and eloquence. But the constitutional majority, inspired by public opinion,

brushed out his ineffectual yet unanswerable protest, and fastened the iron enactment upon the quivering and helpless South.

It was an amazing piece of statesmanship to disfranchise our intelligence and make the hereditary slaves of two centuries rulers of our political destiny. It degraded, alarmed and exasperated our people. We had the whole argument of the case on our side. They had the might. Our reconstructors had excelled themselves in this last fantastic of national restoration. Our people were angered to white heat, and they entered upon an uncompromising fight against the astounding project. In this crisis ex-Gov. Brown, with that cool method that distinguished him, went North to look into the matter, and see just how earnest the North was, and what hope there was of resistance to these most odious measures. He had taken ground as a matter of choice against these wrongs. He was powerless, as were his people, to successfully oppose any measures that were inevitable. And he resolved to ascertain just what was necessary to do to restore the state to the control of his state-countrymen. Judge Dawson A. Walker accompanied him. These gentlemen went to Washington early in February, 1867, while the Reconstruction measures were pending, and thoroughly gauged public sentiment upon reconstruction. Gov. Brown probed the subject to the bottom. He conversed with the most influential men upon both sides. From President Johnson down he conferred with leaders of every shade of opinion. The impeachment crusade against President Johnson had begun. Against the Sherman bill he had fired a noble but ineffectual veto, and on the last day of the old Congress it went through. The new Congress passed the supplemental reconstruction bill providing for a registration of loyal voters, the calling of a convention by the vote of the people, and the ratification of the constitution made by such convention by a popular vote, all under military guidance. Mr. Johnson struck this measure with another spirited veto, but it was promptly passed, and the revengeful malignancy of impeachment gathered fresh force from the incident.

It was a gloomy state of things when the very constitutional exercise of official prerogative upon the line of constitutional right in our favor evoked so vengeful a spirit. Gov. Brown satisfied himself that these terms, hard and galling as they were, must be taken, just as they were taken, and he came home and advised their acceptance by the people. Impartially scrutinizing that act of advice, with the passions of the hour cooled, and in the light of final results, it must be confessed that Gov. Brown's course was practical, politic and inspired by his convic-

tions of duty A letter was addressed to him on the 22d of February, 1867, by Ira R. Foster, James F Alexander, A. R. Reagan, John Collier, L. C. Wells, P Pease, W R. Venable, D. F. Hammond, P. L. Wynatt, A. K. Seago, R. P Zimmerman, L. S. Salmons, William Herring, E. E. Rawson, J. A. Hayden, Joseph Thompson, E. P Watkins, J. J. Thrasher, T. W J. Hill and E. Hulburt, asking his judgment as to what course should be pursued by the people of Georgia in the existing crisis.

He answered, and it was the most fateful letter of his life. It has been burned into the history of the country, and it scorched his career for dreary years. He was too sagacious a judge of public opinion, not to foresee that it would elicit a large measure of unpopularity. He showed it to some close friends, and with an accurate prevision of its effect and of the public feeling, he said: "In the present excited state of the popular mind, the chances are that bold leaders will inflame their passions and prejudices, and they will reject the terms proposed, and have to suffer the consequences. And in that case, from having been for years one of the most popular men in Georgia, I shall become for a time the most unpopular from the Potomac to the Rio Grande." The gentlemen in whom he confided his views concurred with him fully, and begged him to withhold the letter, and not immolate himself. They urged that he was out of public office, and therefore was under no obligation to give advice that would impair his popularity. Gov. Brown's reply was to this effect: "I am indebted to the people of Georgia for all that I am as a public man, and I have made up my mind to *tell them the truth*, and warn them of their danger, be the consequences what they may to me as an individual."

To estimate the full effect of this letter, Gov. Brown's position among the people must be understood. For eight long and momentous years he had been the civil autocrat of Georgia, and in a continuous series of heated conflicts he had clutched popular endorsement with an irresistible power. He was by long odds the most potential and idolized public man in the State, seemingly impregnable among the masses. Such a revulsion has rarely been witnessed. The popular idol at one stroke was hurled to the ground, and upon him raged a pitiless storm of vindictive execration. The mutterings of the thunder and the play of the lightning began at once on his devoted head. The man who stands before the prejudices of a people has a fearful task before him. But when, as in this case, he confronts not only their prejudices, but their convictions and their memories, the doom of an overwhelming odium is his certain fate.

The perusal of Gov. Brown's letter at this long distance from that volcanic day, even by one who, like the writer, shared in the fever that fired the Southern heart then, shows it to be a singularly argumentative, dispassionate, forcible document, calm-tempered, logical, and driving his cool conclusions home with ponderous emphasis. The Sherman bill had not even passed when he wrote, but he predicted its passage. He discussed the relative condition of political parties at the North, he stated the exact realities of the situation, and he advised a prompt, full acceptance of the conditions imposed upon us, as we could offer no further resistance, and every delay but increased the severity of the terms offered. There was this strong evidence of disinterested sincerity in his advice, that he was not a candidate for any office, nor seeking any personal benefit; and in addition to this, he was among those disfranchised by the very bill to whose hard stipulations he counseled obedience. Later, Mr. Sherman, the author of the bill, introduced a measure in Congress for Gov. Brown's relief, and this fact was used against the latter as an evidence of some collusion; but it was not only not a part of an understanding, and wholly unprompted by him, but it was a natural outcome of Gov. Brown's attitude, and was probably intended to show that the road to certain reconstruction was the path of submission.

Another burdensome feature of this unpopular position of Gov. Brown, was that it threw him into frightful, personal, and political associations. Home men of no character, unanimated by his patriotism, and disinterested sense of public duty, and seeing in the cruel crisis the chance for place or plunder, joined the reconstruction movement, and such accessions imparted odium to him. The Federal army left among us a host of adventurers, and our helpless condition invited a horde from the North, who naturally sought the protection of the government and the security of Radicalism, in their schemes of personal advancement, whose main props were the unscrupulous and ingenious manipulation of the deluded African, the supporting tyranny of the soldier, and the proscription of the good whites. To these some felicitous word-user gave the memorable name of "carpet-bagger." The North and the West have given to the South a large element of noble and precious manhood,—social and business strains of virtuous and enterprising blood, and no citizens stand better, or rank higher. And such superb accretions of citizenship, are always welcome and cherished. But the reconstruction carpet-bagger was none of these. Hon. Thomas Norwood has made a clever sketch of this wonderful creature. Said he:

"His like the world has never seen from the days of Cain, or of the forty thieves in the fabled time of Ali Baba. Like the wind he blows, and we hear the sound thereof, but no man knoweth whence he cometh, or whither he goeth. National historians will be in doubt how to class him. Ornithologists will claim him, because in many respects he is a bird of prey. He lives only on corruption, and takes his flight as soon as the carcass is picked. He is no product of the war. He is 'the canker of a calm world,' and of a peace which is despotism enforced by bayonets. His valor is discretion; his industry, perpetual strife, and his eloquence 'the parcel of a reckoning' of chances, as he smells out a path which may lead from the White House to a custom house, a post office, the internal revenue bureaus, or perchance to either wing of the Federal capitol. His shibboleth is 'the Republican party.' From that party he sprung as naturally as maggots from putrefaction. Wherever two or three, or more negroes are gathered together, he like a leprous spot is seen, and his cry, like the daughter of the horse-leech, is always, 'give—give—me office!' Without office he is nothing; with office he is a pest and public nuisance. Out of office he is a beggar; in office he grows rich till his eyes stick out with fatness. Out of office he is, hat in hand, the outside ornament of every negro's cabin, a plantation loafer, and the nation's lazarene; in office he is an adept in 'addition, division and silence.' Out of office he is the orphan ward of the administration and the general sign-post of penury; in office he is the complaining suppliant for social equality with Southern gentlemen."

No record of these unique days is complete without some description of this remarkable character, that flourished in that congenial era with the luxuriance of the "green bay tree." They flocked into the cohorts of reconstruction, and shed by their unwelcome and irrepressible affiliation an ignoble discredit upon the honest and patriotic supporters, like Gov. Brown, of a public policy condemned in principle, but assented to as a matter of force in the choice of evils. A meeting was called in Atlanta, and the split began immediately. The meeting divided. Gov. Brown made a strong, clear talk, but it did not heal the breach. Resolutions for and against reconstruction were passed by the sundered halves of the gathering. A meeting was called in Dalton, and after a warm discussion, in which the writer opposed the Brown policy, Judge Walker was endorsed on the Brown line by a majority of four votes.

Gov. Jenkins went on to Washington and instituted proceedings to test the constitutionality of the Sherman bill. His lawyers were Jeremiah S. Black, Robert J. Brent, Edgar Cowan and Charles O'Conor. This was a great proceeding, that involved the existence of a state government of a million of people, and hundreds of millions of property. The legal form used was a bill reciting by a quaint anomaly, the attempt and failure of the state to secede, and her fixed status in the Union under the very philosophy of such failure and as shown by the very act of the United States government submitting constitutional amendments to her for ratification or rejection. The bill urged that the Sherman bill

and supplement were unconstitutional, and asked that Edwin M. Stanton, Secretary of War, Ulysses S. Grant, General of the army, and John Pope, General commanding Georgia, be enjoined from enforcing the Sherman bill in Georgia and come into court to answer. Gov. Jenkins issued, on the 10th of April, 1867, an address, from Washington city to the people of Georgia, advising "a firm but temperate refusal of acquiescence in an adoption of the Sherman bill, and a patient, manly endurance of military government, until, in the efflux of time, and on the subsidence of the passions generated by civil war, better counsels shall prevail at the Federal capital—we, meantime, strictly observing law and order, and vigorously addressing ourselves to industrial pursuits." The alternative of this course was prompt acquiescence in the demands of Congress, which he counseled against until at least the result of the great case in the United States Supreme Court was had. He concluded this dignified and important document with these grave words, which powerfully indicate his deep sense of responsibility:

"Should we fail (as fail we may) there will remain nothing that I can do for you. Your destiny will be in your own hands, and you must choose between the alternative first presented. In making that choice, you have my counsel, perhaps erroneous but certainly *honest*.

It was a peculiarly suggestive and interesting spectacle presented in the antipodal attitude of these two distinguished Georgians, Gov. Jenkins and ex-Gov. Brown, in reference to this tremendous question of the vitality of a great sovereign State. Both were men of unusual brain power, both of uncommon firmness, both of undoubted personal integrity and truth, both acknowledged statesmen and patriots, and both with the stimulus of an established fame and an exceptional popularity to inspire them. And here they stood in absolute conflict of counsel to their people under all the great burden of their sacred reputations, the fruit of long and crucial years of illustrious public service. It was a dramatic antithesis of momentous advice. It was an opposition of formidable powers over a gigantic issue. Gov. Jenkins was robed in official authority. Ex-Gov. Brown was but a simple citizen, yet exalted by the prestige of his recent and unprecedented Executive fame and achievements. There were many deep-hued accessories of this picture. In the stormy days of war Gov. Brown had been the exponent of its clashing turbulence, and Judge Jenkins on the Supreme Bench had placidly administered the civil law, the calm symbol of peace amid the red thunder of strife. Now when the cannon were irrevocably hushed, and the current of blood had ceased beyond hope for the vanquished,

the unyielding battler stood in the fullest concession to the compact of surrender, working for the speedy and practical restoration of the State's lost sovereignty and the people's crushed welfare, while the severe jurist sturdily contended in a spirit equally patriotic against the same concession, even to the certain prolongation of a subjugated condition. It was a remarkable reversion of attitudes. And following out the striking antithesis, the course of Jenkins led through the reverential approbation of his own people to his deposition and their further political crucifixion, while the course of Brown steered through unmeasured and unparalleled obloquy for himself, resulted in the ultimate redemption of the commonwealth and the regeneration of her government.

Both of these gentlemen have since then received unusual marks of popular confidence and favor, and now enjoy an enviable affluence of public esteem. Gov. Jenkins, in his ripe old age, has retired from public life, honored and revered, his active years passed away for all time. Gov Brown, as a United States Senator, in the very maturity of his great powers, is exercising a marked and beneficial influence in controlling and molding the destinies of this gigantic nation. He is nobly representing that very Georgia that once so execrated him for his devotion to her interest. The matter illustrates the great fact that, however obscured and hidden, the truth will ultimately prevail. And it is of infinitely more concern to men that they should be sincere and honest-purposed than that they should be either wise or correct. Gov. Jenkins failed in his line, yet in spite of its probably protracting the State's rehabilitation, its inspiration was so noble that his countrymen held him in even higher esteem. Gov. Brown's course led to restoration, and the very ordeal of unpopularity that his unwelcome but sagacious counsel created, evincing his firm nerve in a disagreeable duty, will but enhance the final valuation of his sacrifices and sufferings.

CHAPTER XXXV.

A THROBBING CHAPTER OF RECONSTRUCTION HARLEQUINADE ENDING WITH GOV JENKINS' REMOVAL.

The Georgia Bill.—Gov. Brown's Sagacity.—The Bill Dismissed.—Gen. Pope and Gov. Jenkins.—The Storm upon Joe Brown.—Alec Stephens.—Gen. Toombs.—H. V. Johnson.—B. H. Hill.—Brown and Hill in a Stern Controversy.—Brown's Iron Resolution Fearfully Tested.—Gen. Pope's Curious Letter.—Judge J.W H. Underwood. —Judge I. L. Harris.—Judge Hiram Warner.—The Drift of Personal Government to Absolutism.—Judge A. Reese removed.—E. Hulburt.—The Democratic Convention at Macon.—Fight over Resolutions.—A Crisis in the Democratic party.—The Reconstruction Constitutional Convention of 1868.—Its Personelle.—Colored Delegates.—The Detested Symbol of Conquest and Odious Change.—The Proscription of Reconstructionists.—Ludicrous Incident.—Gov. Brown's Strong Influence for Good.—His Position.—Gen. Pope calls on Gov. Jenkins for Money.—Gov. Jenkins' Refusal. —Gen. Meade Succeeds Gen. Pope.—Gen. Meade Re-applies to Gov. Jenkins.—Gov. Jenkins Declines.—His Flavorous Sarcasm.—Gen. Meade Removes Gov. Jenkins, and details Gen. Ruger as Governor.—Soldierly Moderation under Unlimited Despotism.—Gen. Hancock.

BEFORE the bill was filed for Gov. Jenkins in the Supreme Court of the United States to test the constitutionality of the Sherman act, a similar bill was filed by Gov. Sharkey of Mississippi, but it was dismissed for its severe terms. It was a notable continuation of Georgia's foremost place in every phase of the war, that she should stand in the period following its close, as the pivot of reconstruction. Her destiny as the regnant factor of the revolution seemed unavoidable. The attention of the country was focalized upon the brave state and its characteristic effort, in the highest legal tribunal of the land, to resist degradation. But her attempt was unavailing. It was ably argued. Mr. Stanberry, the Attorney General of the United States, opened and concluded the argument for the government, and Mr. O'Connor, for Georgia, and Mr. Walker, for Mississippi, made masterly addresses. The case was dismissed, and the ruthless crusade of Reconstruction continued, the stronger and harsher for the futile spurt of impediment.

It was a striking instance of Gov. Brown's sagacity that he opposed the action of Gov. Jenkins in filing the bill for Georgia and predicted its failure on the very ground upon which it was dismissed, that it involved political questions over which the Congress and President were

the arbiters and not the court. The defeat in the Supreme Court left the South remediless. Gen. Pope wrote to Gov. Jenkins, asking him if he had seen his order prohibiting any attempt of officials to influence the people on reconstruction before he issued his address advising them against accepting the Sherman bill. Gov. Jenkins replied that he had not seen it, but that he should in the future do and say whatever his oath required of him. Gen. Pope replied that State officers would not be allowed to denounce the act of Congress under which he was acting

The press poured hot shot into Gov. Brown. He was the subject of a torrent of vituperation. Denunciations streamed upon him as "traitor," "betrayer of the honor and interest of his State," "unduly frightened," "weak-kneed," "desired to save his neck," "currying favor with the Radicals," and a volley of such abuse. He was accustomed to spirited hitting from his enemies. But such rasping censure from friends came hard. Gov. Brown, however, met it gamely. He stood resolutely to his disagreeable views, and he made strong, even-tempered speeches in the leading cities of the State, urging the people to acceptance of the terms of Congress. It was a complete separation from his old allies—an acrid divergence of political course. Mr. Stephens was silent, Gen. Toombs had returned home from Europe in March and wrote a letter to Mr. M. C. Corry, Corresponding Secretary of the Democratic Central Committee at Cincinnati, declaring his readiness to establish the right of secession. Ex-Gov. H. V Johnson wrote a letter in July, 1867, urging registration but advising against acceptance of the terms proposed. His advice was "never to embrace their despotism," and to hope for a reaction in the North and West against the overthrow of constitutional liberty. Hon. B. H. Hill made a speech in Atlanta in July of this year, in which he denounced the reconstruction measures with unsurpassable and flaming eloquence ; and he followed it up later with a series of "notes on the situation" on the same line, that for magnificent invective equal anything in ancient or modern annals. There is no doubt that Mr. Hill was the undisputed leader in this savage anti-reconstruction campaign.

In his Notes on the Situation he attacked Gov. Brown, and that indomitable fighter came back with an unsheathed sword. The conflict was a famous one. They were two ripe controversialists, mental Titans, and the theme was big enough for any minds. They had met in the gubernatorial race ten years back, when Brown was untried and yet had won the Executive guerdon. They were at it again in the fiercest era of the century, representing implacably hostile forces and theories

vengefully inimical. Hill had the public pulse on his side. Brown was breasting an overwhelming popular sentiment. Hill rode a very flood tide of the people's endorsement. Brown fought, crowded down with public odium. The agitation gained intensity and bitterness as it progressed. It became more venomous every day. Northern adventurers thronged into the State and began their operations upon the credulous blacks, poisoning their minds, working on their cupidity, and inciting them to hatred of the whites. It was a frightful time. The war was more bearable and peaceful. The robust delusion of "forty acres and a mule," and other impracticable schemes of spontaneous profit, were used freely upon the bewildered colored people with wonderful success. These rosy fictions were swallowed eagerly without a suggestion of disbelief. The people hotly resented this invasion of the Vandals; and in the abhorrence of a moral pestilence, the sincere, honest advisers of the acceptance of reconstruction, as the best that could be done in our desperate stress, were pilloried in public scorn.

It was a dreadful alternative for a proud man like Gov. Brown to be exposed to, either to adhere to his convictions of public duty under an appalling ordeal of popular hatred, and under alliance with men he contemned, or cravenly yield to a tornado of public passion that he could not control, and whose policy he condemned. But there was no giving up in Gov. Brown's iron composition. As the hail of public indignation pelted upon him with an accumulating force, he with set lips and a grim defiance confronted the hurricane and defied its fury. He never faltered in his chosen course. It was proscription, fell and remorseless, that he fought—proscription, social and political. Some idea of the burning fever of the time may be gleaned from some of Mr. Hill's white-heated invectives: "Hellish dynasty," "On, on with your work of ruin, ye hell-born rioters in sacred things!" "Perjured assassins of liberty, blasphemous conclave of a Congress," and a host of such expressions testified alike to the violence of the epoch and the abusive capacity of the orator.

These letters and speeches of Mr. Hill, Gov. Johnson and others, were made the text of a lengthy and right curious letter by Gen. Pope to Gen. Grant on the subject of reconstruction. It made the strong expressions and stern spirit of those utterances a justification of the disfranchisement of their authors, but at the same time it urged perfect freedom of speech and the press. It candidly owned that some of the reconstructionists were as bitter and proscriptive as the "reactionary anti-reconstructionists," as he called them. It further said that if the

colored people progressed as rapidly as they had done, "five years will have transferred intelligence and education, so far as the masses are concerned," to them.

Judge J. W. H. Underwood and Judge Iverson L. Harris wrote letters in response to some gentlemen asking their opinion, in which they advised the people to register and vote for a convention. Judge Hiram Warner counseled the acceptance of the terms, saying, "It would be a useless waste of time to discuss political principles or constitutional rights for any practical purpose." The division of opinion was very marked, and views were extremely varied. As a general thing in North Georgia, in the white belt, a majority favored accepting reconstruction simply as a choice of evils. A large number of men were for non-action. In the negro belt the whites were solid against the measures to the last.

The steady drift of a personal government, unrestrained by fixed law, is to despotism. The arbitrary exercise of authority is simply inevitable. The South, under the rule of the Brigadier Generals in this year of 1867, illustrated this tendency. Gen. Pope began well, but he soon drove into autocratic grooves. His orders show a swift growth of absolutism. Men who displeased him were removed upon pretexts and, perhaps, considerable provocation. First, mayors of cities were both removed and appointed. Foster Blodgett was appointed mayor of Augusta, Capt. Joe Blance, solicitor general of the Tallapoosa circuit, and Col. Albert Lamar, solicitor general of the Muscogee circuit, were removed. Sheriffs were displaced. A man charged with homicide, in Bartow county, and acquitted, was re-arrested and ironed. The State university at Athens was closed because a student made a speech objectionable to Gen. Pope, and it was then re-opened, with the condition expressed, that the press of the State should say nothing of the affair, but the appropriation was withheld for a while. The student was Albert H. Cox, a brilliant young man, and a member of the last General Assembly. His speech was upon "The Vital Principle of Nations—Obedience to Organic Law." A copy of the speech was sent to Gen. Pope for him to critically examine. And when the college term was resumed, Mr. Cox offered to retire from the institution if it was deemed necessary to pacify the military monarch of our destinies. This was not required. Men were prevented from sitting as jurors who had not registered. Military officers were relieved from all civil process.

Judge Augustus Reese, of the Ocmulgee Judicial Circuit, declined to obey the order that unregistered voters should not act as jurors, and he was prohibited from exercising the duties of his office, after refusing to

resign. This able and courageous jurist was warmly regarded for this action.

September 19th, 1867, Gen. Pope ordered an election to be held on the 29th, 30th and 31st of October, for a convention, and for delegates to the convention. The superintendent of registration was Col. E. Hulburt, who had been Superintendent of the Express company, an uncommon individual. Cool, adroit, managing, energetic, bold, personally very clever, Hulburt was a marked character, and the most useful instrument Gen. Pope had. A large powerful man, prompt, decisive, with superior administrative ability, he handled the problem of registration with unvarying success, for any measure he championed. He had large ideas, and a proportionate executive capacity, and he played a vital part in this complicated drama of reconstruction. The registered voters numbered, according to Col. Hulburt, 188,647. The election continued three days, and then was protracted two days longer. A convenient order, issued at the proper time, allowed men to vote in other counties than where they registered, upon their own oaths that they were entitled to vote. How far the repetition of votes was done under this ambulatory method will never be known. There were 106,410 votes polled on the question of convention, and 102,283 in favor of it, thousands of voters who had registered, abstaining from the polls under the suicidal non-action policy.

The Democrats called a state convention to meet at Macon, on the 5th day of December, 1867, to consult on the situation. This was the first political state convention held since the surrender. There were delegates from sixty counties. Benjamin H. Hill was elected president. The convention was very stormy, and came near being broken up. Among the delegates were Thomas Hardeman, Gen. A. R. Wright, C. A. Nutting, T. G. Holt, L. N. Whittle, W S. Holt, A. W Reese, W T. Thompson, G. A. Mercer, William M. Browne, W F. Wright, J. C. Nisbet, R. A. Alston, M. A. Candler, Nelson Tift, Augustus R. Wright, M. Dwinell, W G. Northern, G. F Pierce, Jr., Eli Warren, C. C. Duncan, J. W Preston, J. H. Blount, D. E. Butler, P W Alexander, Thomas W Grimes, C. C. Kibbee, Herbert Fielder, C. W Hancock, T. M. Furlow, C. T. Goode, C. H. C. Willingham, E. H. Pottle, I. W Avery and W K. Kiddoo. There was a very small representation from North Georgia, only seven counties North of the Chattahoochee, having delegates.

The two main points of difference were the non-action policy and a resolution denouncing advocates of reconstruction as criminals. These

were both measures of Mr. Hill, and were warmly discussed. The question of non-action was referred finally, to the State Executive Committee. Mr. Hill pressed the resolution in regard to reconstructionists upon the platform committee, who rejected it. Nothing daunted, Mr. Hill offered it as an amendment to the report of the committee in the convention, supporting it splendidly. At this juncture, Col. I. W Avery, the delegate from Whitfield, having vainly urged Judge Wright, of Rome, to present the reasons for opposing the resolution, who declared it useless to confront the current, took the floor against it, urging that in the white belt, fully 25,000 white Democrats had supported reconstruction as the best thing they could do, and to denounce these sincere and patriotic men as criminals would drive them from the party. Gen. A. R. Wright, Col. Thomas Hardeman, L. N. Whittle and others supported this view. Mr. Hill still pressed his resolution with an evidently large support. The matter was re-committed and additional committeemen appointed. The original committee was: George A. Mercer, C. B. Richardson, Gen. Phil Cook, T. M. Furlow, P W. Alexander, C. H. C. Willingham, Thomas Hardeman, Jr., D. G. Hughes, D. E. Butler, E. H. Pottle, J. Graham, W W McLester, L. J. Glenn, and J. A. Stewart. The added committeemen were W T. Thompson, T. L. Guerry, J. A. L. Lee, T. G. Holt, A. R. Wright of Richmond, I. W Avery and J. P. Hambleton.

The committee reported the resolution of Mr. Hill, and the battle over it in the convention was resumed with a lively animation and determined earnestness. The Macon *Telegraph*, in its report of the discussion, stated the opposition to the resolution in these words:

"The gallant young delegate from Whitfield, Col. Avery, fought manfully for the people of his section on this point. He was opposed to their views, but knew that they were honestly entertained, and would never consent to denounce them as traitors or criminals. He believed they were wrong, but preferred to show them their error, and persuade them to abandon it."

Finally, Col. Avery stated that he was so thoroughly convinced of the impolicy of the resolution, and its peril to the party in estranging North Georgia, that if it passed, he should feel it his painful duty to withdraw from the convention, as much as he should dislike to break its harmony. Upon this declaration, the question was asked whether the resolution would be acceptable if it was amended so as to denounce *the crime* of reconstruction, and say nothing of its supporters. This change being satisfactory, the resolution was thus amended and unanimously adopted. Had the resolution, as originally offered, have been

passed, as the solemn action of this convention, it would have split the party asunder in a bitter antagonism. It was a curious coincidence that the preamble and resolutions adopted by the convention were the resolutions (with some additions) written by Col. Avery, and passed at the county meeting in Whitfield county, to select delegates to the convention, and read thus:

"Manly protest against bad public policy is the duty, as well as the right, of all true patriots. And this, without factious opposition to government, or untimely interruption of public harmony. The season for honest discussion of principles, and for lawful opposition to existing abuses and their growth, is ever present and pressing."

"The Southern people are true to constitutional liberty, and ready to acquiesce in any policy looking to the honor and good of the whole country, and securing the rights of all classes of people.

"We regard the efforts of the present ruling power to change the fundamental institutions of the United States government as false in principle, impolitic in action, injurious in result, unjust and detrimental to the general government.

"Silence under wrong may be construed as endorsement. Be it therefore

"*Resolved*, That we pledge ourselves to sustain law and order, to support cheerfully all constitutional measures of the United States government, and to recognize the rights of all classes of people under enlightened and liberal laws."

To these were added by the Convention resolutions protesting against the reconstruction measures. H. V Johnson, A. H. Chappell, B. H. Hill, Warren Akin and T. L. Guerry were appointed to issue an address to the people. Gov. Johnson wrote the address, which was a very able one and appealed for a united effort to restore constitutional government.

The reconstruction Convention met in Atlanta, on the 9th day of December, 1867. It consisted of 170 delegates. The majority of them were unknown names. Gov. Brown had advised the people to take part, and send their best men. The mistaken non-action policy had been followed in many parts of the state. A gallant attempt had been made in many sections, however, in conformity with the counsel of Gov. Brown, and there was quite a liberal sprinkling of good and true Democrats. Among this class were H. V M. Miller, David Irwin, A. W Holcombe, L. N. Trammell, S. E. Field, and J. D. Waddell. There was another class of men who were pronounced Republicans, who were sincere in their politics and enjoyed personal esteem. In this class were H. K. McCay, T. P Saffold, Benjamin Conley, R. B. Bullock, D. G. Cotting, A. T. Akerman, Madison Bell, N. L. Angier, J. L. Dunning, J. H. Flynn, H. G. Cole, J. R. Farrott, and A. G. Foster. There were others who have been prominent in the republican party: A. L. Harris, R. H. Whitely, Foster Blodgett, J. E. Bryant, J. Adkins, C. H. Prince,

T. J. Speer, H. M. Turner, G. W. Ashburn, Tunis Campbell, A. A. Bradley, N. P. Hotchkiss, G. P Burnett, M. H. Bentley, Isaac Seely, C. H. Hopkins, W. L. Clift, Samuel Gove, J. Sherman, and J. S. Bigby, whose names have become very familiar to the people of Georgia in the years since, in the political conflicts that have transpired.

The convention was a new and odious body to the people. The old leaders were nearly unanimously disfranchised. Here was an organization, incarnating the idea of force and conquest, based upon negro supremacy and white disfranchisement, and with fully one-sixth of its number colored delegates, in sudden shock of every prejudice and conviction, and thus a fresh set of obscure men hoisted by abhorred means to the leadership of the State. It was a spectacle that intensified the thrilling bitterness of the time. In the course of years we have become accustomed to the sight of colored legislators, but in that day it was a trying experience and it stirred men's resentments implacably. To the State, it seemed as if a menagerie had been ransacked for its stock of puppets and harlequins and the mongrel culling converted into the travesty of a convention, to arrange the liberties and remodel the crushed sovereignty of a great commonwealth. And the body, symbolizing conquest, hatred and ignominy, bore the seeming sacred *imprimatur* of the public suffrage. Little wonder that the people spit upon, and reviled it with a double-dyed loathing. And it was a terrible injustice, something like hanging an innocent man for a murder, to involve in the unsparing odium of the era, pure and patriotic men who conscientiously believed in the necessity of conforming to the situation as the best thing obtainable, pitiably poor as that was, for the loved ones and the country. Men who favored reconstruction that day, no matter what their motive, were visited with a blind full-bodied damnation, both social and political, that was worse than death. And many a man who would have favored reconstruction was driven in terror from it by the proscription.

Of the new men put forward, R. B. Bullock became afterwards Governor, Benjamin Conley President of the Senate, J. E. Bryant Representative and a noted leader of the colored men, Foster Blodgett Superintendent of the State Road, R. H. Whitely, Samuel Gove, and T. J. Speer, Congressmen, J. R. Parrott, Judge, H. K. McCay, Judge of the Supreme Court, D. G. Cotting Secretary of State, A. T. Akerman, Attorney General in Grant's Cabinet, Madison Bell, Comptroller General, and N. L. Angier Treasurer.

J. R. Parrott was elected President of the Convention. A ludicrous incident occurred in the election of President that created much deris-

ion. When the name of H. H. Christian, a white delegate, was called, he was absent, and a black negro voted in his place, which made much excitement. Upon being questioned he said his name was "Jones," and he had been sent to vote for Mr. Christian, who was absent, and he was dismissed from the hall amid shouts of laughter. The incident illustrates the colored man's crude conception of his privileges. The convention was in session until the 11th day of March, 1868, taking a recess from December 24, 1867, to January 8, 1868. The Constitution that was created was a very excellent one, containing many valuable new features. Gov. Brown threw his whole influence in giving a conservative direction to the legislation of the convention. Had his counsel have been followed there would have been a much larger representation of able and representative men. But still, with the few right men in the convention, and with Gov. Brown's potential guidance of the Republican element in safe grooves, the general line of procedure was kept well guarded and just. It was a fortunate thing in many respects for the public interests that a person like Gov. Brown was aligned with the reconstructionists. Whatever of harm that was done, he nor any one could prevent, and all that was possible of prevention, he checked.

Retrospecting dispassionately, we can see how our righteous passion injured us, increased our difficulties, retarded our restoration, and created new and harder terms. Popular fury is a very ruthless tyrant, and none more so than a just and natural fury. It can seek and find justification in its justice. We were very badly treated, and our wrongs involved the cause of law and liberty. Yet the position of Gov Brown was very logical. "This is all true. It is very bad. But how can you help yourself? With a half million of armed men you were powerless to remedy smaller ills than these. What can you do now, conquered and tied, except by contumacy to invite superadded harshness? You had lighter terms. You rejected them and got heavier ones. If you take these, as you cannot help doing, you will regain your freedom. If you reject them, you will have still harder terms to take. It is not a matter of right, it is a question of force, and you had better yield to it at once, and remove its tyranny." But a gallant people would not see it, and the hopeless battle continued, and the cloud upon Gov. Brown grew blacker and more vital with storm.

During the deliberations of the convention two important changes were made, powerfully affecting the public weal, and illustrating with a sweeping emphasis the capricious and tyrannical tenor of our rule.

Gen. Pope was, by order bearing date December 28th, 1867, relieved of the command of our military district, including Georgia, and Maj. Gen. George W Meade put in his stead as the arbiter of our political destinies. The convention needed money for its expenses, and passed an ordinance directing the Treasurer of the State to pay $40,000 to N. L. Angier, the disbursing officer of the convention, for this purpose. It was a comical travesty of civil government and of the genius of our republican institutions, that here was an august convention of the people, the highest delegated agent of popular sovereignty, and yet every edict it made was formally promulgated and enforced by military order. Was it not an unutterable caricature upon civil liberty and constitutional law that constitutional principles were thus expounded from the mouth of the musket, and interpreted under the whimsical despotism of the bayonet? Gen. Pope issued his order to the Treasurer, John Jones, to pay the $40,000 for the convention. This order bore date the 20th of December, 1867. Col. Jones responded the 21st of December, declining to pay the amount because—

"Forbidden to pay money out of the treasury except upon warrant of the Governor and sanction of the Comptroller General, and having entered into heavy bonds for the faithful performance of the duties so prescribed."

Gen. Pope took no action upon the matter, but left it for Gen. Meade's attention. On the 7th of January, 1868, Gen. Meade addressed a letter to Gov. Jenkins as Provisional Governor, and requested him to draw his warrant on the Treasury for the $40,000. He urged, that this was "an appropriation made by law," and Gov. Jenkins could therefore do it, and attention was called to the precedent of the Constitutional convention of 1865. Requesting Gov. Jenkins to show the letter to the Comptroller General, Gen. Meade thus concluded:

"Hoping that in the performance of the difficult and embarrassing duties now devolved upon me, I may have the co-operation and assistance of the Executive Department of Georgia, I am most respectfully, &c."

Gov. Jenkins' response was a model of classic heroism. Through its high-bred courtesy ran a veiled vein of sharp satire and unflinching defiance. There was no concession in it. The convention, he argued, was called under a Federal law that prescribed tax to raise funds to pay the body. This fund did not come under the purview of the constitutions of Georgia or of the United States, which he had sworn to obey, and he added with a flavorous sarcasm:

"I have a serene consciousness that in declining to obey the behest of the convention, and to comply with your courteous request, I but pay a dutiful homage to both constitutions."

Gov. Jenkins discussed the Reconstruction acts with reference to this point, and put his view with another whiff of subtle irony thus:

"I can find nothing which, in the remotest degree, authorizes the construction that they intend to saddle the Treasury of Georgia with the cost of their novel enterprise."

Continuing in the same satirical humor Gov. Jenkins said, that he was unable to find any duty devolved upon him in the "multiplied reconstruction acts" except "not to obstruct" them, which was a negative duty, and he grimly added:

"Believe me, General, in my official position, compliance with your request would involve a tremendous activity, nay, even the abandonment of previously imposed duty."

With the statement that the State's money could not pay the convention and at the same time the regular burdens of government, Gov. Jenkins respectfully declined Gen. Meade's request. The letter of Gov. Jenkins bore date the 10th of December, 1867 On the 13th, Gen. Meade, in a short but polite note, informed Gov. Jenkins that he removed him from his office, viewing his refusal to pay this money, and also, his refusal to pay the salary of M. S. Bigby, Solicitor General of the Tallapoosa circuit, appointed by Gen. Pope, as obstructions of the reconstruction laws. Treasurer Jones was also removed.

Brev. Brig. Gen. Thomas H. Ruger was "*detailed for duty*" as Governor of Georgia, and Brev. Capt. Charles F. Rockwell, Treasurer of Georgia. On the 17th of January, 1868, the Comptroller General, John T. Burns, was removed and Capt. Charles Wheaton "detailed for duty" in his place. These are the words used to fill these great offices. The order in regard to the Executive is given in full, as a document that will read in the far distant future, when the memory of the war is a dim tradition, as a rare curiosity of military politics:

"HEADQUARTERS THIRD MILITARY DISTRICT,
Dept. of Ga., Ala. and Fla.
"*General Order No.* 8: ATLANTA, Ga., Jan. 13, 1868.

"I. Charles J. Jenkins, Provisional Governor, and John Jones, Provisional Treasurer of the State of Georgia, having declined to respect the instructions of, and failed to co-operate with the Major General commanding the Third Military District, are hereby removed from office.

"II. By virtue of the authority granted by the Supplementary Reconstruction Act of Congress, passed July 19th, 1867, the following named officers are detailed for duty in the District of Georgia: Brevet Brigadier General Thomas H. Ruger, Colonel 33d Infantry, to be Governor of the State of Georgia; Brevet Captain Charles F. Rockwell, Ordnance Corps, U. S. Army, to be Treasurer of the State of Georgia.

"III. The above named officers will proceed without delay to Milledgeville, Georgia, and enter upon the discharge of the duties devolving upon them, subject to instructions from these Head-quarters. By order of GENERAL MEADE.

[Official:] R. C. DRUM, Assistant Adjutant General.

"GEORGE K. SANDERSON, Capt. and Act. Asst. Adjt. Gen."

Reverting to those unhinged times, one wonders at the moderation of tyranny that accompanied the unlimited despotism in the grasp of these lucky soldiers, invested as if by enchantment with supreme power. To their credit be it said that generally they wielded their authority with respect for old usages and established rights. And where they broke over the conventional forms, they did so under the soldiers' spirit of obedience to orders. They were directed to enforce the Reconstruction measures and they did it to the letter. General Hancock was the exception in one splendid respect. He had ideas of civil law and liberty and a rare conception of constitutional principles and of the spirit of true republican government. In the coming future his renown as a soldier, great as that is, will pale before the resplendent radiance of his fame as the champion of regulated civil right.

CHAPTER XXXVI.

THE FEVERISH MARCH OF EVENTS IN 1868.

Startling Incidents.—Officers Removed.—Gov. Jenkins' Suit.—Relief.—The Union Leagne.—The Ku Klux Klan.—Twin Excrescences of Reconstruction.—R. B. Bullock Nominated.—Democratic Committee.—Judge A. Reese.—Judge D. Irwin.—Gen. J. B. Gordon.—Gov. Brown's Frightful Ostracism.—E. Hulburt.—Sharp and Qnick.—Bullock connted in Governor.—Gov. Brown at Chicago.—The Killing of Ashburn.—The Trial of the Columbus Prisoners.—Gov. Brown's Connection with the Case Fairly Stated.—A Bitter Legacy of Censure.—The Champion of Civil Supremacy.—Gov. Brown's Speech at Atlanta.—The Charge of Inciting the Negroes to Incendiarism.—The Language Used.—An Admonition against Trouble.—The State Democratic Convention.—Its Personelle.—The Electoral Ticket.—Gen. Gordon.—Judge J. T. Clarke.—A. O. Bacon.—J. B. Cnmming.—W. O. Tnggle.—Democratic Mass Meeting.—Splendid Invective of Toombs, Cobb, Hill and Moses.—The Famous Bnsh Arbor Speeches.—The Fnry and the Virtue of that Day.—Tempests of Human Passion.

STARTLING and revolutionary events succeeded each other swiftly. Men ceased to be surprised at anything, and continued to blaze with an increasing indignation. No attempt was made to conciliate our masters. Exasperated and defiant, the South growled and fought like a wounded and unconquerable lion. The soldiers were denounced, the convention lampooned, the Federal authorities defied, and reconstruction and its advocates spurned, insulted and hated. The people boldly resisted reconstruction, and Gen. Meade firmly enforced it. Col. N. C. Barnett, the Secretary of State, was removed, and Capt. Charles Wheaton detailed in his stead. Comptroller-General J. T. Burns was arrested and confined in jail a day or two, under a ludicrous mistake, for a man named Barnes. James J. McGowan, Tax Collector of Chatham county, was arrested for refusing to pay the taxes collected to the Military Treasurer. Judge John T. Clarke, of the Pataula Circuit, was removed because he adjourned his court on the ground of Gen. Meade's "illegal, unconstitutional, oppressive and dangerous orders!"

Gov. Jenkins went to Washington, carrying the Great Seal of State, and about four hundred thousand dollars of money, which was placed in New York to pay the public debt. He filed a bill complaining that Ulysses S. Grant of Illinois, George G. Meade of Pennsylvania, Thos. H. Ruger of Wisconsin, and C. F. Rockwell of Vermont, had illegally

seized the State's property and imprisoned the State Treasurer, and asked an injunction of said parties from further spoliation. The convention adjourned, cursed by the people. It had witnessed some lively scenes. A. Alpeoria Bradley, an incendiary negro, was the irrepressible orator of the body, tackling with venomous and voluble impartiality the Republican and Democratic leaders, until it was shown that he had been in the penitentiary in some northern state for seduction, when he was expelled. One of the leading measures was relief from old debts, and a large homestead law, and it was expected that these popular matters would sugar-coat the constitution, and make the people swallow it. Mr. Akerman, an advanced reconstructionist, opposed it. The extreme Radicals tried hard to direct legislation in a bitter channel. Gov. Brown fought this, and declared that if they exceeded the requirements of the reconstruction measures he would oppose their constitution. Some eloquent speeches were made by such members as L. N. Trammell, J. D. Waddell and Dr. H. V M. Miller, against the extreme acts.

No picture of that day will be complete that omits that truly "loyal" organism, the "Union League," founded and run in secret deliberations in the interest of the Republican party. Its chiefs were William Markham and Henry P Farrow. It united its members in a compact, oath-bound organization of wonderful cohesiveness and discipline. Its hidden partisan efficiency was remarkable, and it ruled consummately its unlettered legionaries from Africa. Perhaps the most pernicious damage done by this order was the utter loathsome disrepute into which it brought the sacred idea of loyalty to government. All dissent from the sanctity of oppression and the virtue of tyranny was "disloyal;" all abject approval of every hideous abortion of relentless despotism was "loyal." The line of loyalty was ignominious subservience to power.

But there was a companion to this abominable dynasty in the dangerous order of the Ku Klux. The one caused the other. The Ku Klux Klan was the perilous effect of which the odious League was the unhealthy cause. The Klan was a veritable body, founded in a holy object and often prostituted to violence under great provocation. The writer knew all about it, and shared in its legitimate work. It combined the best men of the State, old, virtuous, settled, cautious citizens. Its object was the preservation of order and the protection of society. It used mystery as its weapon. It was intended to aid the law and prevent crime. In the license of the era it was a matter of self-defence

against plunder, assassination and rape. Both the League and the Klan were excrescences of reconstruction, the natural outcome of abnormal politics and abortive government.

The convention provided for an election on the 20th of April, 1868, for the ratification and rejection of the constitution framed by that body, and for the election of a Governor and General Assembly. Henry P. Farrow was the choice of his party for Governor. He went into reconstruction with a ripping energy. He was badly crowded by the Democrats. But he was a game person, and unlike the mass of his colleagues, ready to meet personal responsibility. He was denounced as a coward by Col. M. A. Nevin of Rome. A correspondence ensued. Col. Nevin was crippled. Farrow refused to fight him, but went out and exchanged shots with Capt. Thomas O'Connor, the second of Nevin, who then manfully withdrew the charge of cowardice. The Republican members of the convention organized themselves into a nominating body, ignored Farrow, and upon motion of Foster Blodgett, nominated Rufus B. Bullock for Governor. It was as good as a play to see the way of Republican politics at that time.

The Democratic executive committee was composed of E. G. Cabaness, chairman; E. A. Nisbet, J. J. Gresham, James Jackson, G. W Adams, L. N. Whittle, J. R. Snead, A. W Reese, Ambrose R. Wright, J. Hartridge, N. Tift, P. W Alexander, J. I. Whitaker, J. A. W Johnson, S. J. Smith. The committee on the 13th of March, 1868, nominated for Governor, Judge Augustus Reese, and for delegates to the Democratic Presidential nominating convention, J. B. Gordon, A. H. Chappell, B. H. Hill, H. S. Fitch; and alternates, W Akin, E. Starnes, A. H. Colquitt and C. J. Munnerlyn.

Judge David Irwin announced himself a candidate for Governor. On the 24th of March, Judge Reese, who had on the 17th accepted the Democratic nomination, declined on the ground that he was not eligible, and recommended Judge Irwin. The committee thereupon nominated Judge Irwin, who accepted. The Republicans sprung the point upon him that he had been a Confederate presidential elector, and Gen. Meade deciding this to disqualify him, he dropped out. The committee, baffled in two trials for eligible material, consulted Gen. Meade as to the eligibility of John B. Gordon, and receiving the opinion of the polite autocrat that the gallant Gordon was all right, put him out as the Democratic standard-bearer, against Bullock. The campaign that followed was rancorous and much mixed. The Democratic policy was to defeat the Constitution and elect Gordon, which would have made

Gordon's triumph a nullity. The Republicans pressed both the Constitution and Bullock. A considerable number, led by Dr. H. V. M. Miller, advocated the Constitution and Gordon. Varney Gaskill, that wonderful piece of political versatility, ran this schedule.

Rufus B. Bullock was a large, handsome, social specimen of a man, pleasant-mannered, and well liked. He had been in Georgia nine years, and occupied the place of head of the express company in the State, and president of the Macon and Augusta R. R. He had been somewhat of a savage reconstructionist in the convention. The Democrats were for defeating the reconstruction measures. Gov. Brown, therefore, had no alternative but to coöperate with the side that, if elected, would enforce his views, and he took the field for Bullock. All of his sympathies and innate convictions were with the Democrats and Gordon. But his sense of the needs of his State and people was for taking promptly the offered chance of restoration, and at one stroke end a military government becoming daily more intolerable. The people battered their old idol fearfully. Many would not listen to his speeches; others insulted; all denounced and ostracized him. It was in some degree a question of personal safety. Few men would have stood to the rack. Gov. Brown was never one of the yielding kind. Opposition but intensified, abuse but strengthened, and ostracism fired his combativeness. It must ever stand an unsurpassed example of human endurance and pluck, that he never flinched or wavered in this pitiless ordeal.

The election continued for four days. Hulburt, as fine a master of political opportunities as the world ever saw, had the handling of registration and the election returns. It was a strategic novelty in elections, to run them for several days. The watch of the run of things, and the transfer of the unidentifiable colored voter to weak points, enabled a "sharp and quick" manager, like this unequaled strategist, to produce any required result. The constitution was first declared ratified by a majority of 17,699 votes. The election of R. B. Bullock was then promulgated. The Columbus *Sun* and *Times* published the following unique and significant document:

"OFFICE SUPERINTENDENT REGISTRATION,
ATLANTA, GA., May 8, 1868.

"JOHN M. DUER, Esq., Columbus:

"*Dear Sir*:—Yours of 6th at hand. We want affidavits proving force, fraud, intimidation, in violation of general orders. We must have them and plenty of them. Go to work and get them up at once.

"The names of the parties making the affidavits will not be known to any person except yourself and the Board. They need have no fears on that score. You can swear

them before Capt. Hill. Please go to work "sharp and quick." Get Chapman and other friends to assist you.

"The election in your county will be contested. Defend yourselves by attacking the enemy. "Respectfully, &c.,

"E. HULBURT."

It was generally understood, in spite of this "sharp and quick" sort of practice, that the Legislature was Democratic. The National Democratic convention met in New York, and nominated Seymour and Blair upon the bold platform that the new reconstruction amendments were revolutionary, unconstitutional and void. This was the issue, and a momentous one it was. It had been foreshadowed for some time, and the South rallied to it with a joyful exhilaration, looking to the Democratic party to undo Radical reconstruction and restore the governments framed by Andrew Johnson. A Democratic President elected upon this issue would refuse to execute the Reconstruction Acts, and thus the Southern states could overthrow the reconstruction governments. Gov. Brown believed first, that the Democrats could not succeed on this platform, and second, that if they did succeed it would be resisted to bloodshed by the Northern Republicans, and bring continued suffering on the South. So believing, and regarding Gen. Grant as favorably disposed to the South, he thought he foresaw the only solution of our troubles in the support of Gen. Grant and the Republican party.

Gov. Brown went to the Chicago Convention that nominated General Grant and participated as a delegate. His presence there created stormy commentary at home and attracted general attention in the North. He made a characteristic speech in the convention, bold and pronounced, that elicited a wide variety of criticism. He was in favor of acceptance of the terms of reconstruction. For this he was applauded roundly. But when he announced that he could not support any policy that would put the negroes of the South over his own race, he raised a storm, and was denounced as a rebel. It was a daring utterance under all the circumstances. Reviewing Gov. Brown's course out of the passions of that time, and in the light of events that followed, seeing how he antagonized the extreme men of both sides, how the odious measures he advised to be accepted were swallowed whole after ineffectual resistance, how he pursued the unflinching tenor of his way through a pitiless current of scalding execration, his perception and nerve were crowningly demonstrated. It took simply unlimited courage to support Grant and reconstruction in that day, and the man who dared do it, who was an honest man as Gov. Brown was and is, did harder work than fighting battles and storming batteries.

It has been a peculiarity of Gov. Brown, from the beginning of his public career, that he has had the firmness to lay down a course that was unpopular, and adhere to it against every opposition until its result has been tested. His course on reconstruction was a striking example of this. The universal opposition to his policy by the good people of Georgia did not abate one jot of his resolution. His position in favor of Grant was one of popular abhorrence, yet he never wavered in it. But when Grant was elected, and developed a harsh spirit to the South not expected, Gov. Brown openly opposed his course. The philosophy of Gov. Brown's conduct was, that he approved of no measure oppressive to the South, but acquiesced in, or accepted, all measures that he deemed certain of imposition upon us. His theory was, that if we could lay down our arms conquered, abolish slavery forever, and repudiate our war debts, we should swallow other bitter pills that we must take if we would get our freedom and local self-government. And believing that the sooner we took the terms offered by the conqueror, and the less useless resistance we made, the speedier would be our political rehabilitation, he conscientiously and under unparalleled opposition, and with superhuman courage advocated such a course.

The support of Grant and the prosecution of the Columbus prisoners charged with the murder of G. W Ashburn, were the two acts of Gov. Brown at this time, that concentrated upon him the public obloquy of Georgians. The latter stood against him, however, when the former was forgotten and explained. The late campaign for Governor that resulted in the re-election of Gov. Colquitt to the gubernatorial chair, and the popular ratification of Gov. Brown's appointment as United States Senator, has settled this matter satisfactorily to a large majority of the unprejudiced people of the State.

G. W Ashburn was a member of the Constitutional Convention, a native of North Carolina, and had been in Georgia for fully thirty years. He had offered in the convention resolutions asking Congress to relieve our people of disabilities. He was, however, a pronounced Radical and an unlettered man, and he lived with some negroes in Columbus. He was killed at night by unknown parties. The murder created much excitement in the state. The military took the matter in hand, and arrested Elisha J. Kirkscey, C. C. Bedell, James W Barber, W A. Duke, R. Hudson, W D. Chipley, A. C. Roper, J. S. Wiggins and R. A. Wood. A military court was organized to try them, which convened at Atlanta on the 29th of June, 1868. The counsel for the prisoners were A. H. Stephens, M. J. Crawford, J. M. Smith, J. M. Ramsay, L. J.

Gartrell, H. L. Benning and R. J. Moses. The prosecuting officers were Gen. Dunn, Judge Advocate, assisted by ex-Gov. Jos. E. Brown and Major Wm. M. Smythe.

While in confinement the prisoners were treated badly and subjected to indignities. Inhuman means were used to extort confessions from them, and to suborn evidence from colored witnesses. The sweat boxes were resorted to at Fort Pulaski, where the prisoners were confined, to compel admissions of guilt. These cruelties occurred before Gov. Brown's employment by Gen. Meade in the case. Yet in spite of this fact the odium of this bad treatment was thrown unjustly upon him. It shows the morbid spirit of those days, that a lawyer in professionally accepting employment in the prosecution of a murder case, should be acrimoniously abused.

Weighing the evidence in the matter fairly and dispassionately, Gov. Brown shows very conclusively that in taking part in this prosecution he was governed by proper motives, and did a service to the public and the prisoners. He alleges that Gen. Meade employed him on the condition required by him, that he should control the case, and that upon the restoration of civil law the case should be given up by the military authorities. His employment prevented the retention of very extreme men. The corroboration of Gov. Brown in this statement, of his agency in this matter, has been very striking. It has been argued against its credibility that during Gen. Meade's life, no revelation of the explanation was made by Gov. Brown when that officer could have verified or denied it. Major A. Leyden of Atlanta talked with Gen. Meade several times, and says that he was assured by Gen. Meade that his fears for the prisoners would not be realized. Mr. John C. Whitner of Atlanta states that Detective Whiteley, who worked up the evidence for the prosecution, told him that the understanding when Brown was employed was that the military trial was to be run over into the organization of the new State government, and the military court dissolved. Gen. William Phillips testifies that Gov. Brown consulted with him at the time upon the subject, and explained to him his object. Maj. Campbell Wallace had an interview at the time with Gen. Meade, and that interview confirms Gov. Brown's statement. Many years ago Gov. Brown gave to Hon. A. H. Stephens and Dr. J. S. Lawton his version of this matter.

A part of the charge against Gov. Brown, in this connection, was that he first sought to be employed by the prisoners for $10,000, and failing in this, took a fee from the government. Mr. W A. Bedell explodes

this aspersion, stating that he endeavored to employ Gov. Brown for the prisoners, who replied that he was already retained by the Government. The Legislature adopted the Fourteenth Amendment on the 21st of July. Gov. Bullock was inaugurated as civil Governor of the State on the 22d of July, 1868, and on that very day Gen. Meade suspended the proceedings of the military court till further orders. And on the 24th of July, Gen. Meade issued a general order, reciting the welcome fact that military power had ceased under the Reconstruction Acts in the State, and that the military commission for the trial of the prisoners charged with assassinating G. W Ashburn being adjourned *sine die*, the prisoners should be transferred to the custody of Capt. Mills, with instructions to release them on bond. The object was accomplished, and the service rendered. The innocent men escaped and returned to their families and homes, after a fearful experience of the mockery of military government.

This Ashburn matter constitutes one of the darkest episodes of that dark day. It left a more lasting and bitter legacy of hard feeling than any event of reconstruction. It wounded Gov. Brown more deeply than any other incident of his life, and has followed him with a crueler punishment, and yet if there is anything in human evidence, he was governed by a noble motive, he sought a worthy object and deserves honor for his conduct. The whole occurrence was tragic in the extreme —the gory murder, the wholesale arrest, the torture of the sweat boxes, the despotism of an armed court, the substitution of the bayonet for the law, and the soldier for the judge, the perilous pendency of human life upon the caprice of the shoulder-strap, the bloody hunger of the clamorous mob at the north, the background of political strife seething with the unsettled passions of war, the resentful fears of an angry state—all were strong features of this throbbing picture. But of it all there was no part more striking than the long crucifixion of Gov. Brown, seemingly an instrument of unsparing hate, but really a champion of release and civil supremacy.

There could be no more marked demonstration of the ultimate power of truth than the change wrought in Col. R. J. Moses. He was of counsel for the prisoners. He even refused to practice in the Supreme Court while Gov. Brown was Chief Justice. Up to 1877 he had continued to hold Gov. Brown in deep censure. But the light thrown upon him, tested in the judicial crucible of an unusually strong and well equipped legal intelligence, drove him to make public profert of his exoneration of Gov. Brown. And it loses none of its significance

because he rectified the honestly entertained misconception of years in Columbus, where the unabated condemnation of Gov. Brown frowned with all the terror wielded by a sincere and virtuous public opinion. It was an act of genuine courage on the part of Col. Moses. Many worthy citizens in that section still honestly hold Gov. Brown in blame in this connection. But the marvelous transformation wrought in the large majority of our best people upon this intense question is an earnest of that completed correction that is coming to him from the entire people of the State.

Another charge made against Gov. Brown at this time was a very serious accusation, but was so utterly incredible as to have gained no general lodgment in the public mind. It was believed and used to some extent, but people generally did not heed it. It was too flagrant for belief. In an address in Atlanta he was accused of stimulating the negroes to resort to the incendiaries' torch if need be in furtherance of their rights. These are the words used by Gov. Brown on that occasion, and which have been so injuriously construed.

"When in the history of the past, did you ever know four millions of people with the ballot in their hands, surrender it without bloodshed? It cost revolution to give it to them, and nothing short of bloody revolution can take it from them. If you will allow them to exercise it without disturbances, they will do it peaceably. If there are any outbreaks and disturbances, they, I predict, will grow out of the attempts of the white race to deprive the colored race of this right, or to interfere with its free exercise. I warn you, my friends, to be cautious on both sides, how you put your lives in jeopardy and your homes and families in peril. And I especially warn my own race of the extreme danger to them in case of collision. The colored people have but little, except their lives to risk in the fight, if it should unfortunately come. The white race have the same risk, and in addition to this, they have their property to lose. Your houses, your villages, towns and cities are all pledged to peace. Be careful then how you excite discord and bloodshed."

It will be seen from a critical and dispassionate examination, how this language in a rancorous time could be distorted into a perversion of its meaning, and yet there be no real ground for the damaging construction that was put upon it. In cooler moments of judgment, the speaker's purpose is unmistakably clear of making an argument against any violent attempt to disturb negro suffrage after it had been legally established and practically exercised. The words, instead of being an incitement to trouble, was a very decided admonition against it.

In July, 1868, two important bodies convened in Atlanta, the State Democratic convention and the new General Assembly. The convention met on the 23d, to choose Seymour and Blair electors. Judge Augustus Reese was made president of the body, and the vice-presidents were

Dr. R. D. Arnold, Gen. A. H. Colquitt, L. H. Featherston, John J. Floyd, B. T. Harris, Col. S. J. Smith, and C. D. McCutchen. The gathering was an unexampled one in Georgia political annals. There were 1,009 delegates from 108 counties, and nearly every leading man in Georgia was present. There has never been a more heated time in our State politics, and the fervor was universal. It was a solid assemblage of the leaders of public opinion in the commonwealth, with one conspicuous exception, and that exception the most potential one of all, ex-Gov. Joseph E. Brown, who stood single handed in the most unsparing public conflict of the century. Public passion has never been intenser or stormed higher, and it beat pitilessly upon Joe Brown. The convention ratified the nomination of Seymour and Blair, adopted the Democratic platform, declaring the amendments revolutionary, unconstitutional and void, and put out an electoral ticket composed as follows:

At Large.—John B. Gordon, John T. Clarke.

Alternates.—William T. Wofford, Thomas M. Norwood.

District.—J. C. Nichols, C. T. Goode, R. J. Moses, A. O. Bacon, J. B. Cumming, H. P. Bell, J. D. Waddell.

Alternates.—J. H. Hunter, William O. Fleming, W O. Tuggle, Dr. H. Wimberly, Gen. D. M. Du Bose, G. McMillan.

Many of these were new men. So many of the older politicians were disfranchised that a selection of new material was unavoidable. Gen. J. B. Gordon had been our most famous Georgia soldier, and adding, as he did, the sweet graces of a Christian character to the glittering *eclat* of the successful general, he became the idol of the people. A handsome, noble looking person, with a soldier's carriage and air, a face full of genial chivalry like his soul, a brave, capable, royal gentleman, Gordon was, and is to-day, as fine a specimen of the typical Southerner as we have ever had in the South. The man has absolutely rioted in popularity. He became United States Senator under extraordinary circumstances of personal triumph.

Judge John T. Clarke owed his selection as elector to his having been removed as Judge by Gen. Pope. The choice illustrates the fervent temper of the people about reconstruction, and the spirit of resistance to military tyranny that prevailed. Judge Clarke is one of the readiest and most accomplished lawyers and debaters in the State, possessing singular power of thinking upon his feet. He was a member of the last State Senate. Col. J. C. Nichols has served a term in Congress. Col. C. T. Goode is now dead. He enjoyed the name of the "Silver Tongued Orator." Maj. A. O. Bacon has become a very prominent

public man, and has a bright promise before him. A lawyer of uncommon ability, he has developed an unusual capacity for public life. His appearance is very marked—a tall, shapely person, with a fine head and face, and a long flowing blonde beard, Maj. Bacon is a noticeable individual anywhere. Repeatedly elected Speaker of the House of Representatives, no one has ever enjoyed a higher reputation as a presiding officer. His popularity in the deliberative bodies, over which he has so gracefully reigned, has been something exceptional. All of his public addresses and documents are finished, logical and full of thought. A recent letter of his in the *American* newspaper on the political situation was the finest and most philosophical discussion of public issues of the many published by that journal. The lack of Maj. Bacon is warmth; and his defect, a tendency to exclusiveness and reserve, that, in a measure, has cut him from the masses. An infusion of popular sympathy into his very rare intellectuality will come to him and will add materially to his political equipment.

Maj. J. B. Cumming, a brother of the gifted Julian Cumming, to whom allusion has been made heretofore, is a stately Spanish-looking gentleman, whose gifts of manner and speech are very attractive. He was a member of the last State Senate and one of the leaders of that body. Gen. D. M. Du Bose, a son-in-law of Gen. Toombs, was an efficient member of Congress several years ago. Col. J. D. Waddell is a brilliant writer and speaker, and the author of a delightful book about Linton Stephens. William O. Fleming is now judge of the Albany circuit, and a jurist of ability. Col. W O. Tuggle has made himself famous by his masterly prosecution of Georgia claims before the Congress at Washington. A gentleman of fine social qualities, an unusual capacity for handling statistics, and unbounded energy, Col. Tuggle will be a useful public man, if he cares to enter politics.

The assembling of the convention was made the occasion of the largest political mass meeting ever held in Georgia. Dr. J. F. Alexander was the chairman of the Fulton county Democratic executive committee, and he exhibited a wonderful management in the oreation and handling of this monster affair. An immense BUSH ARBOR was constructed down in an open space on Alabama street, near the depot, since built up. The fiery addresses made on this occasion received their distinctive designation as the "Bush Arbor speeches." There was an immense torchlight procession. People flocked to this gathering from all parts of the State. The four orators of the day were Robert Toombs, Howell Cobb, Benjamin H. Hill, and Raphael J. Moses, a rare and

unequaled quartette of popular speakers. Perhaps there never has been, in the annals of eloquence, a grander display of red-hot invective than was given in these memorable Bush Arbor orations. It was a sweltering day in July. The uncomfortable plank seats were packed. A pall of stifling dust hung over the massed throng and the swarming city. But for five mortal hours of unspeakable discomfort, the solid mass of people, with fully one-third of it ladies, sat unmindful of the discomfort, hanging eagerly upon the torrid utterances of the speakers. The enthusiasm, at times, was overwhelming. Every note of denunciation of reconstruction and reconstructionists, was greeted with deafening applause. The pelting given Gov. Brown, was simply savage. There was no qualification in the abuse heaped upon him. When passion subsides, its fierce words, in the light of cool sense, read like extravagant lunacy. The rancorous phrases of these undeniable statesmen on that mid-summer day in 1868, conned over in the calm reason of this far distant time, excite wonder at their ferocious exaggeration. Said Gen. Cobb:

"Oh Heaven! for some blasting word that I might write infamy upon the foreheads of such men!"

Said Mr. Hill:

"Oh! Give over the miscreants to the inextinguishable hell of their own consciousness of infamy.. Ye miserable spawns of political accidency, hatched by the putrid growth of revolutionary corruption into an ephemeral existence—renegades from every law of God, and violators of every right of man—ye *unnameable creatures!*"

Such were the hard terms born of the fury of the era that were put upon men who are to-day solid in public esteem. There is a grim lesson in it all. Tempests of human passion, like storms of the elements, make cruel work while they last. But through their craziest fury, the great Providence of God is steadily reigning and the sun of truth preserving its serene and omnipotent immutability. There were many vile men engaged in the crusade of reconstruction, who merited the worst of this crimination. But there were true citizens who, under patriotic duty, urged submission to the choice of evils, who were terribly battered in the unrelenting strifes of that mad epoch, and who have lived to see the reaction that always comes in favor of right-purposed men. Gen. Cobb, in conversation with the writer, at the rooms of the Young Men's Democratic Club, the afternoon after the speaking, alluded to his own severe invective and declared with a grave frankness that he feared that the denunciation had been unwise.

The very savagery of that day grew out of the natural and honor-

able rebellion of a virtuous people's best impulses against indignity and wrong. The very excesses of spirit of a good community in resentment of oppression, are the best evidence of the possession of those qualities of chivalric manhood and sensibility to injustice, without which there can be no great national character. And the sentimental martyrdom of intractable zealots, violating the teachings of policy, has demonstrated the exalted heroism of human nature and laid the groundwork for the ultimate triumph of truth and right. The South resisted Reconstruction under a noble inspiration. The men whom she crucified in that day in her splendid fury, can find vindication the more valuable from that fact.

CHAPTER XXXVII.

THE FAMOUS LEGISLATIVE EXPURGATION OF THE BLACKS.

The Racy Legislature of 1868.—A Parody upon Legislation.—Its Personelle.—I. E. Shumate.—The Speakership.—Gen. Meade's Orders.—Mr. Chairman Bullock.—Dunlap Scott.—B. Conley.—R. McWhorter.—J. E. Bryant.—Eligibility.—Bullock's Inauguration.—"Go it, Niggers!"—Message.—Gov. Bullock's Administration.—Gov. Brown's Defeat for U. S. Senator.—Ferocity of Public Passion.—A Wild Scene.—The Culmination of Gov. Brown's Unpopularity.—Atlanta Jubilation.—The State Stirred.—Joshua Hill Elected Senator.—The Fanny Martin Slander.—The State Reconstructed.—Rufus E. Lester.—Sam Bard.—Ineligibility of Colored Members.—Hatred and Picturesque Discussion.—Bullock's Tart Message.—Rebuke of Gov. Bullock.—Bullock's Opportunity.—The Colored Members Ousted.—J. R. Saussy.—John Jones.—The Camilla Riot.—An Exciting Episode.—The Colored Convention.—Marion Bethune.—The Curious Effect of Democratic Opposition to Reconstruction.

THE Legislature assembled on the 4th day of July, 1868. The convening of this General Assembly was an important event in Georgia history, and its deliberations and acts were a symbolical epitome of the variegated Reconstruction that sired it. It was a strange blending of farce and melodrama. It was *bizarre* in the extreme, affording such an admixture of light and shade as few legislative bodies ever exhibited. There is nothing like it in the annals of Georgia. It swept out completely men's customary notions of legislative conduct. It was at times the most roaring comedy of a day rich in the comical and the incongruous. It was again so tragical that it almost engendered revolution. Its elements were varied and racy. Its membership was attractively picturesque. It was an exquisite parody upon ordinary legislation, and a faithful photograph of the most novel episode of Georgia history. The chronicles of this legislature would make a volume of its own. There was in it a good sprinkling of very fine material.

The Senate showed such sterling spirits as C. B. Wootten, B. B. Hinton, E. D. Graham, A. D. Nunnally, M. A. Candler, W T. Winn, A. W Holcombe, C. J. Wellborn, J. T. Burns and J. C. Fain. Mr. Candler we have spoken of before. A. W Holcombe was in the last Senate, and a public man of force. Col. C. J. Wellborn has long been

a power in North-eastern Georgia; a gentleman of clear judgment and large influence, and now Judge of the North-eastern Circuit. Col. J. C. Fain has been continuously in public life, and is now Judge of the Cherokee Circuit, and a person of exceptional powers of political management.

In the House were some marked men: W D. Anderson, J. C. Nisbet, R. W. Phillips, M. Rawls, Dunlap Scott, M. Ballenger, C. C. Duncan, W P. Price, W M. Butt, J. J. McArthur, W M. Tumlin, J. A. Cobb, F M. Harper, R. W Flournoy and I. E. Shumate. Of these, Mr. Shumate of Whitfield was the most brilliant. A slender, dark-eyed, heavy-whiskered gentleman, with a clear, sweet, ringing voice of unusual compass, and a fluent flow of vivid language, he was then, and is to-day, a most charming orator, with few equals in the State. He became instantly a leader in the body, and was placed at the head of one of the most important committees, that on the "State of the Republic." M. Rawls went to Congress afterwards. W P. Price became an efficient representative in Congress, and is now a member of the Legislature. He has been a very useful man to his section, being the main instrument in the establishment of the fine Agricultural College at Dalohnega. Mr. Tumlin has been an adventurous figure in Georgia politics, audacious and generally successful. A very active personality, for a long time, in the public strifes of that day was Col. Dunlap Scott, who held for years a rattling sort of leadership by his boldness.

The Senate stood twenty-six Republicans to eighteen Democrats, and elected Hon. Benjamin Conley, President. The complexion of the House was in doubt. Hon. W P Price and Hon. R. L. McWhorter ran for Speaker. The vote was taken. Mr. Price had stepped out and on returning was informed that Mr. McWhorter had voted for him, and he reciprocated the courtesy by voting for Mr. McWhorter. The vote stood then seventy-six for McWhorter, seventy-four for Price, and one for Holden. Mr. Price, upon information that he had been deceived, and that Mr. McWhorter had not voted for him, asked permission to change his vote. The Atlanta *Intelligencer* says the permission was granted and the vote stood a tie. The Journal of the House states that the permission was refused. Both concur in the statement that Mr. McWhorter was declared the Speaker elect. Mr. Mark Hardin, a Democrat, was elected clerk.

The Constitution made by the Convention had been submitted to Congress for revision. Congress had approved the Constitution except two features, one giving relief from suits on claims except for slaves

made before June 15, 1865, and the other to force settlement of such claims by the imposition of a tax not exceeding twenty-five per cent. after the 1st January, 1868. Congress passed an Act allowing Georgia representation in Congress when she should ratify the Fourteenth Amendment and give assent to the nullification of the relief clauses. Gen. Meade issued his order declaring who were elected to the legislature, and also an order to Gov. Bullock to effect "such preliminary organization of both Houses of the legislature as will enable the same to enter upon the discharge of the duties assigned them by law." Gov. Bullock had already notified the body to convene on the 4th of July. The organization, in the language of the journals, was made by the "Governor elect as Chairman," Gen. Meade, Judge Erskine and J. R. Parrott aiding. Dunlap Scott began that system of badgering that made him so noted. He moved an adjournment in honor of the day, "that we should not desecrate it by wrangling over an organization." The "Chairman" refused to entertain any motion. Scott appealed to the House from the decision. Bullock said there was no appeal but to the military. Scott then appealed to the military. Bullock consulted with Gen. Meade and refused still to entertain the motion, and immediately after walked down the aisle and apologized for not putting the motion, as he was acting under military orders that he could not disobey.

Both Mr. Conley and Mr. McWhorter have been bitter Republican partisans, and enjoyed a large share of public odium for many years on account of their course. Both are men of personal integrity, while Mr. McWhorter had and still has strong local influence. Both stand well now as citizens. Among the prominent Republicans in the body were, H. M. Turner, J. W Adkins, Ephraim Tweedy, J. E. Bryant, A. A. Bradley, Tunis G. Campbell, F O. Welch, T. J. Speer, and Jos. Adkins. Bradley and Campbell were colored men, and vicious ones. There were twenty-eight negroes in the body. The most picturesque figure on the Republican side, perhaps, was J. E. Bryant. He has been an unexampled manipulator of the black element for years, until in 1880 he was completely unhorsed. He has played a highly-colored part in all of the shifting episodes of reconstruction. No man has ever joined to the deftest pen and glibbest tongue in presenting the humanitarian aspects of reconstruction, a keener clutch of the more practical instrumentalities that govern the untutored colored intelligence. He has been both a subtle and a bold leader of the dark element of suffrage.

The Assembly was engaged until the 22d of July in testing the eligi-

bility of members under the Fourteenth Amendment. There were majority and minority reports and much spicy sparring over the matter. Mr. Shumate made much reputation by his able report and brilliant speech, taking and maintaining successfully the ground that all of the members were eligible. The Fourteenth Amendment was ratified and assent given to the congressional elimination of relief from our State Constitution, and on Wednesday, the 22nd day of July, 1868, Gov. Bullock was inaugurated, Gen. Meade and Staff attending, as the Executive of Georgia. The inaugural address was a short one, in which the main point was an encomium upon "that patriotic body—the Union Republican party." Mr. Conley declared Bullock Governor for four years. The *Intelligencer*, describing the scene, says:

"Some slight applause hailed the announcement, after which a voice from the end of the chamber was heard to rise high above everything else with the exclamation, 'Go it Niggers!' This expression created a great sensation."

The incident illustrates the embittered satirical feeling of the people. It looked as if rehabilitation had indeed come, but the manner and instruments of its coming were so repulsive that the public gazed on in sullen dissatisfaction, and reverted with a grim irony to the deposed Jenkins in exile with his family in Halifax, Nova Scotia.

Gov. Bullock's message was a plain business document. The body proceeded regularly to business. Perhaps the most exciting episode of the session was the election of United States Senators. Gov. Brown had been urged by influential men out of the State in addition to many in it to run for the Senate, on the ground that owing to his peculiar attitude he could do the State more good than any other individual in the commonwealth. While unflinching in his adhesion to his unpopular course, he felt keenly the odium that his former friends and admirers were placing upon him. In a position of such power as he would have had in the United States Senate, he could have served Georgia so beneficially, that the people would have recognized his patriotic devotion to her interest, and the purity of his inspiration in that remarkable reconstruction drama. The writer has always deemed the act of allowing his name to be used for office in that day by Gov. Brown as the cardinal mistake of his course. It gave to his policy the aspect of interest. It lowered him from the high vantage ground he really held, and for which he would have soon gained full credit in the public mind. Sternly rejecting office, the argument for his disinterestedness would have been irresistible. Accepting office, he carried for long years a heavy burden of misconception. He really did not wish

place. He was made Chief Justice of the Supreme Court for twelve years, yet soon laid it down. He did himself the injustice of seeming to profit by his course, when he genuinely sought the public good. He would have been far earlier in winning the public recognition of his purposes, had he have wisely declined position.

The election took place on the 28th and 29th of July, and was an occasion of unparalleled excitement. The Democratic object was to defeat Gov. Brown at any cost. The general white element of the State had focalized an appalling intensity of detestation upon his head. Almost the single, strong old leader prop of Republicanism in the State, the popular abhorrence of reconstruction was concentrated upon him. Gov. Brown in that fierce day was the focus of a people's hatred. The savageness of the obloquy burning upon him is incapable of description. He was the vicarious recipient of the unsparing wrath of a great commonwealth. They would have shriveled him to ashes if they could have done so, in the pitiless intensity of their anger. It was a strange ferocity of passion, and constitutes the most remarkable experience in Gov. Brown's varied life. Few men could stand such an experience. It is equally extraordinary that it should be lived down.

The joint ballot showed Brown, 102; A. H. Stephens, 96; Joshua Hill, 13, and C. H. Hopkins, 1. It was anything and anybody to beat Brown. The Stephens phalanx broke in a rushing body to Hill, and the second joint ballot showed Hill 110 votes; Brown, 94; Stephens, 1; C. W Stiles 1; and Brown defeated. Dr. H. V M. Miller, on the second ballot, defeated Foster Blodgett. The election of Hill and defeat of Brown, were received in the gallery with a tornado of applause. The president ordered it cleared. Bryant, pale and excited, suggested that the police be called. Amid wild confusion, and waving of hats and handkerchiefs, the Senate retired from the Representative chamber. The city of Atlanta became delirious with excitement and congratulations. Buildings were illuminated that night, and bonfires made. An immense assemblage was gathered before the United States hotel and speeches made by Joshua Hill, Dr. Miller, Gen. J. B. Gordon, Col. Warren Akin, and Col. R. J. Cowart. Said Dr. Miller, one of the most thrilling public speakers the State has ever had, in the conclusion of an impassioned appeal for constitutional liberty:

"God preserve Georgia; God preserve the people; God preserve the country."

The State took up the throbbing refrain of exultation over Gov. Brown's defeat, and gave back one responsive echo of universal rejoicing. From one end of the State to the other, the result was triumph-

Joshua Hall

antly claimed as a Democratic victory. In the crazy hurly-burly it was lost out of memory, that the cherished Stephens, the overwhelming choice of the Democrats, had been slaughtered, and that by an original and incurable Republican, and the uncompromising opponent of the war Democracy. It was a curious inconsistency of the fever raging, and the dis-illusion came soon enough, and with crushing effect. Joshua Hill has always been a very brave and an uncommonly honest public man. He hastened with swift candor to correct the misconception of his attitude. He coolly destroyed any Democratic fervor over his election by announcing that he was elected as a Republican, and he should act as one. It was a grim piece of political retribution. Brown was never a conviction Republican, while Hill was. Brown was a chooser between evils, but Hill believed in the principles of Reconstruction. It was a complete realization of the story of the witch and the devil.

In this hour of defeat, the only one suffered by Gov. Brown in his long public life, Gov Bullock, with a creditable sense of valuable service and a grateful appreciation of sacrifice endured, tendered Gov. Brown the place of Chief Justice of the Supreme Court of Georgia. It was an unsolicited proffer, and was gratefully accepted by Gov. Brown in view of his defeat for the senate. This defeat of Gov. Brown was the culmination of his political eclipse. It was the turning point of his long episode of proscription.

Gov. Brown's adventurous career, however, was destined to have every possible phase of incident. It was during this year that the most anomalous calumny of his life was brought against him and shivered to fragments. Of all men in the world, Gov. Brown should be the last that a sensible person would accuse of gallantry with females. His life-long christianity, his pure, domestic life, his absorption in high intellectual labors, and the very physical personality of the man, spare, nervous and bloodless, should have stamped the aspersion as utterly improbable. It looked, therefore, that political enmity had run to a crazy length when Gov. Brown was charged with unchaste relations with a lady by the name of Mrs. Fannie Martin.

It looked as if in the fabrication of such an incongruous calumny as this, an adventurous destiny was simply coquetting with a dramatic life to endow it with all possible and impossible experiences. The whole basis of the charge was several letters purporting to be from Gov. Brown to Mrs. Martin, and these were declared by examination of Rev. C. W Thomas, Rev. Dr. Wm. T.Brantley, Rev. Wm. H. Hunt, Hon. John Erskine, Judge J. D. Pope, Judge J. I. Whitaker, Judge L. E.

Bleckley, Maj. E. B. Walker, J. H. Steele, E. L. Jones, H. H. Waters, H. J. G. Williams and John B. Campbell to be forgeries. Gov. Brown in his calm, effective way, published a card with irrefutable proof, demolishing this incredible accusation, and it fell by the wayside, a queer addition to the episodes of an affluent career.

On the 28th of July, 1868, the proper order was issued declaring military rule under the reconstruction acts at an end in Georgia, and *it seemed* that we had, after a stormy voyage, reached the promised land of a sovereign restoration. But we were wofully mistaken. The end was not yet. Some of the sharpest experiences of this mongrel reconstruction were yet in reserve.

The following gentlemen were elected State House officers: D. G. Cotting Secretary of State, Madison Bell Comptroller-General, N. L. Angier Treasurer, Samuel Bard Public Printer. Col. E. Hulburt, who had been so conspicuous as a masterly Superintendent of Registration, was appointed by Gov. Bullock the Superintendent of the State Road. The notorious Aaron Alpeoria Bradley, one of the Senators, who had been expelled from the Constitutional Convention on account of conviction for seduction in New York, and sentenced to the penitentiary, resigned from the Senate to avoid expulsion, and in his place a young gentleman was seated as State Senator who has since then filled an important place in the public affairs of the State, and whose career, if he continues in public life, will be brilliant and useful. This was Hon. Rufus E. Lester of Savannah. Repeatedly sent to the Senate by the polished constituency of his District, twice President of the Senate, and one of the leading favorites for Governor in the last campaign, when Gov. Colquitt was elected, Mr. Lester has richly deserved his unusual enjoyment of political leadership.

He is one of the promising young men of the State, and the possessor of ability, eloquence and decision. Rather a small person, yet with an erect, sturdy figure and an open, characterful face, he has an unusually winning style of public speaking. His voice is silvery and resonant, his logic concise and clear-cut, and his language terse and fluent. Men have not been made firmer and more sincere than Lester. Possessing a blended simplicity and amiability of manner, he is a most fearless and positive person. An incident will illustrate the man, and it is an incident as uncommon as it is striking. He gave a client some advice about a deed that proved, after a stubborn litigation, to be unsustained by the Courts. Several thousand dollars of property were lost. As soon as he was able to do so, Col. Lester handed his client a

HON. RUFUS E. LESTER,

PRESIDENT OF THE GEORGIA SENATE.

check for the amount, and thus re-imbursed his loss. It was a noble act of punctilious professional integrity, and it indicated an uncommon man.

One of the richest characters of that racy era, was Dr. Sam Bard. It will be long before Georgia will ever see his like. There was an unction about this dramatic comedian of the press that we shall never have again in Georgia journalism. It is difficult to portray the man. He was very clever and companionable and had a perennial sweetness of temper in conducting the most muddy discussions. He reveled in the *coup-d'etat.* His surprises were bouncing. He shot them upon the State with a luscious enjoyment. His political flops were something piquant. From the very heart of an advanced radicalism, he became without a note of warning a quadruple-dyed Democrat. His mastery of vituperative paragraphing was unequaled. The governorship of Idaho tickled his ambitious fancy, but that remote wild could not seduce him from the more civilized territory of the Atlanta post office, whose emoluments he enjoyed for the industriously claimed distinction of having been the pioneer in nominating Grant for President. He was one of the most typical blossoms of reconstruction, whose unctuous memory will linger long with the journalists of that day.

The momentous action of this Legislature, that had a larger consequence following it than any other, and that was the immediate cause of the imposition of a new installment of this ever-shifting reconstruction upon the State, was the expulsion of the negro members. The question of the ineligibility of colored men to hold office under the new Constitution, was first sprung by Mr. Candler, and in his resolution he quoted that Gov. Brown favored this view. The issue was a vital one and evoked a protracted and heated discussion. The debate upon it continued until the early part of September. A number of the white Republicans sided with the Democrats in this matter. The vote in the House stood 83 to 23, and in the Senate 24 to 11. Some of the speeches were very unique affairs. The subject provoked a picturesque variety of eloquence. The following rare quotation from the speech of Hon. W M. Tumlin will afford a vivid conception of the lively range of this discursive discussion:

"Common-sense, common reason, the welfare of the black race and of the white race, require every thinking man to turn them out. The Constitution of the State of Georgia says turn them out. The Constitution of the United States, with all its damnable amendments, says turn them out. Therefore, Sir, if we fail to comply with the solemn oath we have subscribed to, when this House is the judge of the qualification of its members, by retaining men here who are clearly ineligible, we will be held to account for it by our constituency and our God."

A colored member, Romulus Moore, made an exceedingly clear statement of his claims to his seat, and closed with the use of the following unique assertion:

"If God is pleased with the Constitutional amendment, you can't change it—you can't change it unless you can overcome the armies of the United States."

Another colored member, G. H. Clower, is thus reported:

"Whenever you cast your votes against us, dis nigger will take his hat and walk right straight out, but, like Christ, I shall come again. I go to prepare a place for them. Stop, Democrats; stop, white folks! Draw de resolution off de table, and let's go to work."

Gov. Bullock sent in a message to the House of Representatives, stating who had received the next highest number of votes, and arguing against the expulsion of the colored members. He thus wound up his message:

"In conclusion I most respectfully and earnestly call upon you, as lovers of our common country, and well-wishers of the peace and good order of the State, to pause in the suicidal course upon which you have entered, urged on, as you are, by bold, bad men outside your body, whose wicked counsels have once drenched our land in blood, and whose ambition now is to ruin that which they cannot rule."

The House promptly passed a resolution offered by Mr. Duncan of Houston, rebuking the Governor for interfering in a matter in which the House was, by the Constitution, made the sole judge. Gov. Bullock had an unexampled opportunity, during his term, to have made himself a great name and a desirable fame. He had borne a good record before and during the war. He came into politics in a convulsion, and by espousing the strong side, obtained a high trust. Had he have made himself the Executive of the people, and not of a party, he would soon have overcome the prejudices of the Democrats. But he played the partisan to the full, and it became a no-quarter war between him and the Democracy. He soon dissolved his reliance upon the counsel of such men as Gov. Brown, and pursued the advice of the worst men of his party. He had plenty of provocation, for the Democrats were unsparing and implacable. The writer of this volume took editorial charge of the Atlanta *Constitution* newspaper in May, 1869, and conducted that journal's politics during the whole turbulent period until Gov. Bullock resigned and became a fugitive from the State, and was therefore in close and responsible watchfulness and criticism of Gov. Bullock's administration. Never making Gov. Bullock's acquaintance in that time, and viewing his régime solely on its official merits, without any prejudice whatever against him, and never failing to commend

what was worthy of approval, the retrospection of his term of Executive incumbency shows an administration with little to redeem it.

It is also equally due to truth to say that Gov. Bullock was fired by the unceasing hostility of a relentless opposition. How far an implacable warfare can justify an official in acts that call for censure, an impartial public judgment must decide for itself. Gov. Bullock was undoubtedly stimulated by the fever of an acrimonious strife to much of his course that deserves condemnation. He stood faithfully to some very bad colleagues, and adhered manfully to his side with eyes closed to moral considerations or physical consequences. There is no denying that he showed gameness and fidelity.

The legislature ousted twenty-five colored Representatives and two Senators, and seated in their places the same number of white Democrats. There were very strong young men among the substituted members, among them J. R. Saussy and Thomas W Grimes. Mr. Saussy was a fine young lawyer from Chatham county, a gentleman of sprightly humor, with an industrious energy and a vigorous intelligence. He had worked into a large law practice in a city noted for its able bar. Mr. Grimes has been a State Senator since, and is now the Solicitor General of his circuit. He has shown an exceptional degree of political independence, resigning his seat in the legislature to test popular sentiment upon one of his measures, and winning a re-election by a handsome majority. The incident is a rare one for so young a legislator, and demonstrated his positive character. Both these gentlemen, as many others of the new members, became valuable legislators.

Col. John Jones, the Treasurer, removed by Gen. Meade, made a report to this General Assembly, showing that he had taken with, in removal, $426,704.27 of the State's money, every dollar of which he accounted for, principally in payment upon the public debt. Col. Jones makes these interesting statements in connection with this novel chapter of Georgia reconstruction:

"In these transactions I am aware that I have incurred the high displeasure of some, and aroused the suspicions of others; and I was satisfied in the beginning that such would be the case; but having taken an oath to obey the laws under which I was elected, and given heavy bonds for the performance of the duties of my office, I conscientiously felt that I had no right, while reason and honesty of purpose were vouchsafed to me, to act otherwise. Not the least gratifying circumstance since my removal has been, that although it was deemed imperative that I should be removed, I have been allowed and trusted by the Commanding-General and Provisional Governor Ruger, to carry out the course I had adopted, and preserve the credit and honor of the State, up to the surrender of the government to the civil authorities.

"My personal intercourse with the provisional officers has been as pleasant, as under the extraordinary state of things, could be expected, and their bearing towards me has been ever that of gentlemen to one for whom they entertain sincere respect. Their kindness will not be forgotten, nor shall they ever feel that their sympathy has been misplaced."

In the month of September, during this session of the General Assembly, occurred an incident that created great excitement, not only in Georgia but over the whole country, and that contributed a large quota of political capital to the Republican campaigns. There has been no stock in trade so serviceable to the Republican party as the fabrication of Southern outrages upon Union men and negroes. The heaviest indictment made against Gov. Bullock was for his part in this so-called "slander mill" business. From all parts of Georgia were gathered absolutely incredible accounts of white brutality to the black, and Gov Bullock gave these dark narratives the whole sanction of his official place. The incident alluded to was the first important episode of so-called Southern outrage.

The facts were these: A body of armed negroes, headed by a man named William R. Pierce, the Republican candidate for Congress, John Murphy and a man named F F. Putney, approached Camilla, Mitchell county, to hold a public meeting. The sheriff, M. J. Poore, notified the parties that they must not hold a meeting with armed men. They persisted, a collision ensued and seven persons were killed and forty wounded. Gov. Bullock, in reporting the matter to the Legislature, asserted that the right to peacefully assemble had been "violently and barbarously impaired," and the civil officers of Mitchell county were wholly unable to maintain peace. He urged the Legislature to call on the President for troops to protect the citizens. Gov. Bullock's attempt to throw the blame of this affair upon the white Democrats evoked much indignation. The arming of the negroes over the State was a notorious fact, creating alarm and foreshadowing trouble. Gov. Bullock had issued his proclamation upon this matter, adroitly ascribing what he called "the rapid spread of a disposition on the part of those who maintain the validity of the laws of Congress, and of the state governments established thereunder, to protect themselves by arms," to acts of violence by "persons distinguished for their hostility to the government of the United States."

With an ingenious subtlety that stirred a deep resentment, his proclamation was leveled at those citizens supposed to interfere with "the constitutional right of persons to assemble for political or other peaceful purpose," while for the illegal armed bodies he merely communicated

the information that no authority had been granted for such organizations which were unlawful.

The legislature properly declared that "the civil authorities had shown themselves able to execute the law, and there was no necessity for any military interference." Mr. Marion Bethune made a minority report that presented some very truthful reflections. He argued that it was apparent that the people were inflamed and divided, and he urged all parties to meet on a common ground and endeavor to provide some measure that will give peace and rest to the excited public mind.

The legislature adjourned on the 5th of October, 1868. The committee on the State of the Republic made a report written by the chairman, Hon. I. E. Shumate, which was regarded as a masterly and statesmanlike paper, and portrayed the political status of the white people of the State admirably. It reviewed the various steps of reconstruction with philosophical temper; it deprecated any attempt to antagonize the races, and it declared the purpose of the whites to protect the black in his rights. The style of this document was singularly felicitous and forcible. The members who took the places of the ousted negroes presented, through Mr. Saussy, a gold watch and chain to Hon. Wm. M. Tumlin, as the one to whom was mainly due the credit of this famous expurgation of the blacks. A colored convention was held in Macon, presided over by H. M. Turner, consisting of 136 delegates, from eighty-two counties, which started the movement that ultimately ended in another reconstruction of the State.

This colored convention was an important and a very melodramatic body. It held closed meetings, excluding white men. In nothing was it more remarkable than its bitter characterization of the white Radicals who had voted for their repulsion from the General Assembly. There were some venomous and incendiary speeches, but these unlettered men went to work to do their business of retribution and recovery of their privileges in an extraordinarily practical way Turner made a strong speech, declaring he would break up the legislature. He welded his sable hearers in a solid purpose. Committees were appointed for various duties, among them to memorialize Congress, and get up reports of outrages and murders.

There was something peculiarly suggestive in the assembling and deliberations of this colored convention. Mr. Marion Bethune, in his minority report on the Camilla riot, most felicitously stated the feelings of the poor race in these words :

"It must be apparent to the most indifferent observer, that the negro feels disappointed,

and is exasperated in failing to obtain the political rights and privileges that he anticipated under our new Constitution; whilst, on the other hand, much the larger portion of the white people feel that he is claiming privileges, and aspiring to positions which he is totally unfit to occupy, and which they regard as degrading to the white race. Therefore, it is but natural that each party should feel a deep and abiding interest in the result of the approaching election, as each regards the success of their party as an important step in settling the dispute in their favor."

Deeply chagrined and incensed at the deprivation of the right to hold office, the colored leaders, deserted in this valued matter by their white allies, for the first and only time in the protracted play of Reconstruction, self-reliantly took the bit in their own mouths and organized for a race victory. Against the whites they stood in an unqualified opposition. And they whipped their fight. Illiterate, crude in politics and farcical in aspect, they drove to triumph.

Every effort made by the white people to stop the rush of reconstruction but ended in failure and enlarged the imposition of severities. The most heroic and white-motived resistance to revolutionary innovations not only riveted them the tighter but brought new savagery. Every stand for principle simply clinched the changes opposed, and wrought superadded alterations. Whatever the motive the men like Gov. Brown, who counseled acquiescence, saw in the ultimate result a strong vindication of their foresight.

The Democratic electors beat the Republican electors, H. P Farrow, A. T. Akerman, T. M. Smith, John Murphy, E. J. Higbee, W H. Whitehead, J. E. Bryant, S. C. Johnson and J. L. Dunning, by a majority of 44,638 in a vote of 158,596. The highest Democratic vote was 101,786, and Republican 57,195.

The following judges were nominated by Gov. Bullock, and confirmed by the Senate: Supreme Court—Chief Justice, Joseph E. Brown; Associate Justices, H. K. McCay and Hiram Warner. Superior Court —J. R. Parrott, Cherokee Circuit; C. W Davis, Western; Garnett Andrews, Northern; C. B. Cole, Macon; J. R. Alexander, Southern; D. B. Harrell, Pataula; James M. Clark, South-western; J. W Greene, Flint; J. D. Pope, Coweta; William Gibson, Middle; P. B. Robinson, Ocmulgee; N. B. Knight, Blue Ridge; William Schley, Eastern; J. S. Bigby, Tallapoosa.

There was a tremendous pressure brought against the acceptance of office at the hands of Gov. Bullock, and in that day, the purest men who did take position, were exposed to animadversion. And many whom Gov. Bullock appointed, were deterred by a fear of public opinion from assuming trusts in which they could have benefited the people.

CHAPTER XXXVIII.

GOV BULLOCK'S DESPERATE ENDEAVOR TO RE-ENACT RECONSTRUCTION.

The Evil Effect of the Black Expulsion.—Its Cue to Congress.—Nelson Tift.—Bullock's Obloquy.—Wholesale Aspersion of the State.—Our Rulers Seeking the State's Crucifixion.—Georgia at the Presidential Count.—An Exciting Scene.—Ben. Butler and Wade.—Submitting Negro Eligibility to the Courts.—W. P. Price.—Dunlap Scott.—Senator Winn.—Bullock's Vetoes.—The Fifteenth Amendment.—The Republicans Defeat It.—W D. Anderson.—Foster Blodgett.—"Inflict Negro Suffrage on the d— Yankees."—State Aid.—The Battle between Bullock and Angier.—The Capitol Question.—Bullock's Illegal Advance to Kimball.—Committee Reports Condemning Bullock.—The Proposition to buy the Capitol.—Postponed.—Phillips' Resolution on O'Neal.—Republican Convention.—The Supreme Court Decide Negroes Eligible.—Bullock in Washington working for more Reconstruction.—The Bureau of Immigration.—The State Fair.—The State Road.—State Troubles.—Negro Disorders.—Bullock and Angier again.—Chief Justice Brown's Good Work.—Angier's Valuable Services.

THE expulsion of the negro members from the Georgia legislature had an immediate effect for evil. It renewed the fell spirit of Reconstruction. It blew the slumbering coals of race conflict into a lively flame. It was a sad error, viewed in the light of its results. It bred trouble immediately. It gave fuel to the expiring fire of sectional strife. It was to the northern mind the use of the first note of conceded peace to declare war. It was as if an unshackled prisoner utilized his initial moment of freedom to strike his releasing captor.

Charles Sumner of Massachusetts, early in December, introduced a bill in the United States Senate declaring that Georgia should be reconstructed. The implacable Reconstruction Committee of Congress took the matter in hand. Gov. Bullock went before this potential junta, none the less proscriptive because Thad. Stevens was dead, and recommended the reorganization of the Georgia legislature upon the basis of the enforcement of the test oath, which would re-instate the negroes and put the General Assembly "in the hands of loyal men." Senator Edmunds offered a bill repealing the restoration of Georgia to the Union, and remitting the State back to Provisional Tyranny. This measure revived the military governorship. Our Senators, Joshua Hill and Miller were vainly knocking at the door for admission to their seats.

Six of our seven Representatives had been admitted to their seats in the House. Nelson Tift sent a circular to the Judges, Ordinaries and Mayors in Georgia, asking them to bear witness what was the obedience to law, the feeling to the blacks and northern men and Republicans, the desire for peace, and whether there was any necessity to destroy the present State government. He held up in an odious light Gov. Bullock as seeking to remand the State government to military rule or to the dictatorship of a military Governor, with the army to enforce his edicts, on the false ground that there was lawlessness, anarchy, no protection for life or property, and a spirit of persecution of the blacks by the whites.

Little wonder that Gov. Bullock incurred a scathing obloquy in this abhorred rôle. And it was a curious reversal of positions that Bullock was seeking to uptear and demolish the régime he had so toiled to erect, while the people sought to continue the rule of Bullock, whose installation they so resisted, and whose incumbency they detested. This was another of the strange phases of this kaleidoscopic reconstruction, inexhaustible in novel developments. It evoked a deep exasperation, that because the Republicans had failed to get control of the legislature, Gov. Bullock and his allies should seek to pull down the very temple of our liberties, that from its ruins might be re-erected a full Republican structure. The regeneration had been made, and as it was not a complete Republican dynasty that was fashioned, a re-destruction was sought in order to re-mold it. Bullock had failed of complete power. To get it he was willing to even undo his own work, strike down the state government, and remit a great commonwealth to bayonet despotism. And the worst feature of it was that the weapon of this new annihilation of state autonomy was the wholesale ascription of a brutal lawlessness to an entire commonwealth.

This whole inexcusable attempt at the political re-crucifixion of a great state is a matter of cold, official fact. The journals of the Legislature of 1869, contain Gov. Bullock's address to the United States Congress on the 7th of December, 1868, as the Executive of Georgia, gravely declaring that Georgia in her reconstruction had not complied with the laws of Congress, that there was no "adequate protection for life and property, the maintenance of peace and good order, and the free expression of political opinion," and asking congressional interference with the restored sovereignty of the state whose exalted chief magistracy he held.

This endeavor of our own Executive to drag down the state govern-

ment, to dethrone its majesty, and make it a dependent military province aroused a terrible indignation. It was a frightful commentary upon the evil times that our rulers were men who, in their personal ambitions, were willing to sport with the august sovereignty of the state, and degrade the very power they wielded. It was a novel experience in Georgia annals to see an Executive seeking the humiliation of his own commonwealth, and that by the calumny of her honor. The spirit that would invite the rude hand of inimical power to crush our liberties and dominate us with despotism, rather than witness another political party control one of the branches of our state government, was something so unnatural that the people of Georgia regarded it with the same horror that they would have given to the crime of a parricide. All good men felt that no lover of his country would attempt such an unpatriotic and unholy work.

The action of the Georgia Legislature in expelling the negro members continued an absorbing subject of public discussion, not only in the State, but over the whole country. The press of the North, and Congress chattered incessantly over it. There were many lively scenes that it provoked. Congress was kept in an acrimonious turmoil. When the Presidential vote was counted on the 10th of February, 1869, Ben. Butler objected to counting the Georgia ballot. Wade said his view was that Georgia's vote should be counted if it would not alter the result, and should not be counted if it would, a decision received with shouts of laughter. A wild confusion ensued. Ben. Wade, presiding over the joint session, ordered the Senate to its own chamber. The House voted 150 to 41 against Georgia being counted. The Senate, after a lively struggle, decided in favor of Georgia. The joint session was resumed, and the conflict was fierce. Wade ordered Georgia's vote read. Butler objected. Wade refused to hear objections. Butler appealed from Wade's decision. Wade refused an appeal and ordered the count to proceed. Butler moved that the Senate have permission to retire. He was declared out of order. Butler demanded that the House should control its own hall. Wade, in the midst of an intense excitement, ordered the count to proceed. Conkling began reading the result, but his voice was drowned by cries of order. In the deafening clamor Speaker Colfax sprang to the desk, saying the Vice-President must be obeyed in joint session, and ordered the Sergeant-at-Arms to arrest disorderly persons. Order was sufficiently restored to read the result, when the joint session terminated.

Butler offered a resolution denouncing the action of Wade and the

Senate. Davis introduced a resolution in the Senate declaring the conduct of Butler and other members disreputable, and an insult to the people of the United States. Butler and Bingham had a bitter debate over Butler's resolution. Bingham denounced it as a resolution of revolution and anarchy. While Georgia was thus stirring up the country, she was having an equally lively time at home. The Legislature met on the 13th of January, 1869. Gov. Bullock's message dealt mainly with the disturbing problem of negro expulsion. He insisted on the Legislature undoing its work, and again assailed the order of the State. The Democrats themselves divided upon the line of policy. Nelson Tift, one of our Congressmen, telegraphed that Grant, the President elect, favored the policy of submitting the matter to the courts. W P Price introduced a resolution to this effect. It evoked a warm discussion. Such men as Dunlap Scott opposed it. He proposed to stick to the expulsion. While he was speaking, an incident occurred that was much remarked upon at the time. Speeches were limited to fifteen minutes. When Scott had spoken ten minutes, the clock stopped, stood still thirty minutes, and started again just as he was closing. But Price's resolution passed. Mr. Adkins introduced a resolution to re-seat the negroes. Some idea may be formed of the spirit of the Legislature from the following remarks of Senator Winn on Adkins' bill.

"Mr. President:—The Senator from the nineteenth, since the expulsion of the negro, looks like 'Patience on a monument smiling at grief.' He wants that delicious aroma so needful to his comfort.

> "'Like the vase in which roses have once been distilled,
> You may break, you may ruin the vase if you will,
> But the scent of the roses will hang round it still.'"

Cries of "order" were heard, and the President decided the remarks personal and out of order. To the astonishment of all, Gov. Bullock vetoed the resolution of Mr. Price, submitting the eligibility of negroes to hold office to the courts. The resolution did not go far enough for him. He was for ripping up the whole organization, and not only re-seating the negroes, but purging the Legislature of men who could not take the test oath. And to add to the perplexities of the situation, Congress was discussing the expulsion of our representatives from their seats.

The Fifteenth Amendment was passed by Congress and came before the Georgia Legislature in a special message of Gov. Bullock, on the 10th of March, 1869. The action upon this measure, which enforced

negro suffrage, was strangely complicated, and on the part of Gov. Bullock and his allies in the movement of securing another reconstruction of the State, suggestively disingenuous. Both Democrats and Republicans split upon it. Gov. Bullock was charged by Republicans with withholding the amendment from the Legislature as long as possible, and with recommending its passage in such taunting language as would drive the Democrats from its support. His policy was said to be, to secure its defeat in order to aid his project of further reconstruction. The charge against him was flatly made, by the more moderate Republicans, of duplicity in making it appear at Washington that he favored the amendment, while he privately worked to prevent its passage.

The votes in both branches strongly confirm these accusations. In the House, 25 Republicans on the first action, when the amendment was carried, voted for the amendment, 4 against it, and 24 dodged a vote, including Gov. Bullock's fast friends, Adkins, Tweedy, O'Neal and others. On the motion in the House to reconsider, the next day, which was carried, 17 of these dodgers voted for reconsideration. In the House a majority of Republicans thus defeated this Republican measure. In the Senate, 13 Republicans, including President Conley, voted for the indefinite postponement of the amendment, and 6 against. Upon a reconsideration of the indefinite postponement, 8 Republicans voted for the passage of the amendment, 8 voted against it, and 8 dodged, and the amendment was defeated by a Republican Senate, after it had passed first a Democratic House. Gov. Bullock's friends voted against it, and many of his appointees electioneered against its passage.

The Democrats were equally divided. The leverage given to the enemies of the State by the expulsion of the negro members had created a reaction, and the more conservative of the Democrats had come to the conclusion that it was wiser to promptly perform disagreeable necessities. There was some spirited discussion over the matter and some feeling speeches against it. The vote first stood in the House seventy-four and sixty-nine against the amendment. Mr. Anderson of Cobb voiced the conservative view in voting for the measure with this explanatory remark.

"Mr. Speaker: —Passion, prejudice and pride say vote, 'No': wisdom and responsibility say vote, 'Yes.'"

Of the Democrats 42 in the House voted for the Amendment and 56 against. In the Senate 5 Democrats voted for and 9 against the amendment on its final defeat. The picture of inconsistency as to this amendment is not complete without recalling the fact that

Foster Blodgett, Gov. Bullock's Achates, visited Washington, and in a conversation with Grant, the President, predicted that the Democrats in the Georgia Legislature would support the Fifteenth Amendment "for the purpose of inflicting negro suffrage in turn on the d—— Yankees." The occasion of this visit to Washington was in company with H. M. Turner and J. M. Simms, two of the expelled negro members of the Georgia Legislature, to present the resolutions of the Colored Convention in Macon, to which allusion has been made.

The Legislature adjourned on the 18th of March, 1869. This body had granted State aid to seven railroads, covering millions of dollars. Heavy assaults had been made upon Gov. Bullock's management of the state finances. A legislative joint committee appointed to look into the matter of which M. A. Candler was Chairman of the Senate portion, and O. G. Sparks of the House, reported censuring Gov. Bullock for various unauthorized acts. They charged that over $32,000 was drawn on unauthorized warrants. They rasped Gov Bullock for inaugurating the expensive and needless practice of generally publishing proclamations of pardon, and appointments of county inspectors of fertilizers, this waste already running to over $10,000. They condemned large extra pay to salaried officers, running to $4,421.

The most animated financial battle of that day was between Gov. Bullock and Treasurer N. L. Angier over an advance made by the Governor of some $31,000 to H. I. Kimball, to heat and fix up the present capitol building. This difficulty between Dr. Angier and Gov. Bullock became more rancorous with the passage of time, and had a material effect upon subsequent events. The war between these two officials was an important episode of that day, and involved large public consequences. It broke the unity of Gov. Bullock's administration. It made a formidable breach in the Republican ranks, and it furnished the Democrats substantial help in fighting the excesses of that damaging rule. This trouble will involve some allusion to the change of the capital from Milledgeville to Atlanta, and the purchase of the capitol building, that have given rise to so much public agitation.

When the Constitutional convention of 1868 was in session, the city of Atlanta made the proposition that if the capital should be located in this city, the City Council agreed to furnish to the State, free of cost, for the space of ten years if needed, suitable buildings for the General Assembly, for the residence of the Governor, and for all the offices needed by such officers as are generally located in the State House, and all suitable rooms for the State library and for the Supreme Court.

The city further agreed to donate to the State of Georgia, the Fair Grounds, containing twenty-five acres, as a location for the capitol, or in lieu thereof, any unoccupied ten acres of ground in the city that might be selected by the General Assembly as a more appropriate place for the capitol and Governor's mansion.

The convention, by resolution passed February 27, 1868, accepted this proposition, and in the Constitution placed an article making Atlanta the seat of government. On the 24th of August, 1868, the City Council of Atlanta rented from E. N. Kimball, for $6,000 a year, for five years, certain parts of the present capitol building, for the use of the State, and by resolution tendered to the State the said rented premises. Mr. Kimball bound himself to have the building ready for the State by the second Tuesday in January, 1869. This building was a brick shell that had been started for an opera house, and the project had fallen through. The contract made with Mr. Kimball by the City Council did not cover the heating and lighting. Instead of exacting of the City Council the fulfillment of its contract, Gov. Bullock, from October to December, 1868, advanced to H. I. Kimball $31,000 of the State's money to heat, furnish, carpet, paint, and light the building, without reporting said advances to the State Treasurer. In September, 1868, the Legislature had tabled a resolution in regard to heating the structure. The City Council of Atlanta regarded their contract with E. N. Kimball as complying with their offer to the State.

Treasurer Angier reported the matter to the Legislature, in response to a resolution calling for the facts about the State bonds. This report drew from Gov. Bullock a tart message, charging upon Dr. Angier "a malicious attempt to discredit the integrity of the Executive." The finance committee was authorized to examine the matter. A majority and minority report were made. Gov. Brown's opinion was asked, as to the propriety of expenditures without authority of law by the Executive. He replied that the practice had been for the Executive in the past, in pressing emergencies that warranted it, to pay the State's money without appropriation, honestly and judiciously for the public service, but that in all such cases the Governor should be prepared to assume the responsibility if the legislature should disapprove his act. The majority report, signed by W H. F. Hall, chairman, declared that there was no legal or urgent necessity for such expenditure, while the Governor's motives are not questioned. The minority report, signed by A. S. Fowler, O. G. Sparks and six others, is a sharp, sententious, plain-talking document. It declared the expenditures

unauthorized, reckless extravagance, and without precedent. It commented upon the fact that there had been ample time to explain the transaction, and no itemized bill of particulars had been furnished; that costly heating, lighting and furniture was not contemplated by either the city or state for a temporary capitol. The House adopted the minority report by a large majority.

The altercation between Dr. Angier and Gov. Bullock grew very bitter. Gov. Bullock charged upon Dr. Angier that he had drawn interest on the public funds, receiving $356. Dr. Angier showed that he received less interest because the bank had loaned Gov. Bullock $17,000 on his private account. The City Council of Atlanta proposed to confer with a joint committee to settle the liability for the $31,000. Gov. Bullock, in transmitting this request, stated in his message that he thought the City Council was responsible for the expense, and that if he had failed to incur that cost, the Legislature would not have had a proper place to assemble. The resolution to appoint a committee was passed. The committee had a conference with the City Council of Atlanta. The committee reported a proposition for the City to pay $100,000 towards the purchase of the Kimball Opera House for a permanent capitol, and recommended that the State appropriate $200,000 in interest bearing seven per cent. bonds for the balance of the purchase money, the Kimballs to refund the State the $31,000, thus costing the State $169,000. This proposition was not acted upon, but postponed, and the Legislature adjourned. This building was the subject of continued trouble, which will be hereafter noted.

There will never in the history of Georgia be a parallel to this General Assembly. Some of its incidents seem incredible. On the 17th of February, Mr. Phillips, of Echols county, stands responsible for the following resolution:

"*Resolved*, That the publication which appears in the *New Era* of this morning, that the Hon. J. W O'Neal was drunk on yesterday, is infamously false, and it is due to the country and to this House that it be so branded, and should meet with the prompt condemnation of all lovers of good whisky in the present General Assembly."

The report goes on to say that after a warm discussion the resolution was withdrawn. A Republican convention was held in Atlanta on the 5th of March, 1869. Hon. Ben. Conley was made President. The resolutions adopted were harsh, referring to "rebel-democratic rowdies," and declaring that the State was as practically under the control of those who spurn the Federal government as it was during the rebellion. A committee was appointed of Foster Blodgett, P M. Sheibley, H. P

Farrow, J. W Clift, J. M. Simms, J. T. Costin and H. M. Turner to go to Washington to urge Congress to "carry out the desire of this convention."

In June, 1869, the Supreme Court, Judge Warner dissenting, decided in the case of Richard W White, a colored man, elected Clerk of the Superior Court of Chatham county, that negroes were eligible to office in Georgia. This decision raised the question as to whether the Legislature should re-seat the colored members who were expelled. Gen. A. R. Wright, editor of the Augusta *Chronicle and Sentinel*, sent a circular letter to the leading men of the State, asking their views upon this question. There was a pretty unanimous opinion among the Democrats that new elections should be ordered. The subject engaged the public mind to a very general and intense degree. Hon. A. H. Stephens, Judge Wm. B. Fleming, Col. Warren Akin, Judge J. W H. Underwood, Gen. A. R. Lawton, Thomas E. Lloyd, Judge E. J. Harden, Junius Hillyer, Col. Crawford and others, supported the position taken by the Atlanta *Constitution* that the decision of the Supreme Court should be obeyed, but the parliamentary method would be to have an election to fill the vacancies.

Immediately after the adjournment of the Legislature, Gov. Bullock went on to Washington, and endeavored to take advantage of the failure of the Georgia General Assembly to ratify the Fifteenth Amendment, a failure due as has been stated to his own Republican friends in that body, to secure further reconstruction of the State. But no plan was desired by him except one that purged the Legislature of Democrats under the test oath. The mere re-seating of the negroes would not satisfy these destructionists, because that still left them without control of the Legislature. Every effort was made to get the Butler bill through Congress before adjournment, but Nelson Tift and P. M. B. Young and others succeeded in blocking this game. The weapon that was most potential in preventing the success of this measure of continued reconstruction was the passage by both branches of the Legislature of Georgia of the resolution to test the negro eligibility issue in the State Supreme Court, which Gov. Bullock vetoed, to destroy its effect in preventing his schemes. Congress adjourned without interference with Georgia, and he and his allies returned home baffled, but not defeated. During the summer and fall of 1869 every preparation was made for renewing the baleful design of re-dismantling the good old State.

During this year a number of important State matters transpired. A

bureau of immigration was established, and George N. Lester was made Home Commissioner, and Samuel Weil, Foreign Commissioner. The sum of $10,000 was appropriated. The printing was limited to $3,000. The salary of Col. Lester was $2,000 and Mr. Weil $3,000. Faithful efforts were made by both commissioners, but owing to the persistent and rancorous Republican slanders against the good order of the State, no good was accomplished, and Col. Lester, finding his office unavailing for benefit, resigned it before the expiration of his two years' term. Col. Weil returned from Europe after fourteen months absence, bringing his niece with him, and there was a good deal of raillery among the anti-immigration men over the alleged harvest of one immigrant as the result of this elaborate scheme of State immigration. The report of this attempt at immigration showed that Col. Weil had received $3,000 salary, and spent $1,520 for printing; Col. Lester received $2,598 salary, and spent $500 for printing. Weil's expenses exceeded his salary, and Lester's were nearly one-half of salary

The State fair at Macon, in October, 1869, was largely attended by distinguished Northern gentlemen. A negro labor convention was held in Macon in October, to organize a union to control prices of labor. The leading spirits in this body were Jeff. Long and H. M. Turner. An immense Southern Commercial convention was held in Louisville, Ky., of which Mr. Fillmore was president. Georgia was largely represented by such men as V A. Gaskill, A. D. Nunnally, D. E. Butler, H. W Hilliard, B. C. Yancey, R. H. Chilton, A. Hood, C. Howell and some seventy others. There were committees on every conceivable subject of practical utility, immigration, a Southern Pacific, Mississippi Levees, Agriculture, Manufacture of Cotton, direct trade, and other kindred matters. Some sarcastic journal epitomized the work of the convention in the satirical summary, that its chief result was the resurrection of the buried Fillmore to build continental railways by resolutions.

Col. Hulburt had made a fair administration of the State road, paying in to the State Treasury pretty regularly, $25,000 a month. He had an undoubted genius for the practical development of public resources. His ideas of the necessity and value of cheap coal and iron were far in advance of the time. He steadily worked for these great ends. He was an earnest champion of the Georgia Western road that Gen. Gordon has at last put under way. But Hulburt was handicapped by his connection with the Republican registration and his "Sharp and Quick" repute. Even then it was said that Foster Blodgett, who was treasurer of the State road under Hulburt, was striving

to supplant him as superintendent, a change that did soon come, and that was followed by a year of the most reckless and wholesale mismanagement and extravagance that ever marked the administration of a public trust.

During this year there was a legitimate outcome of the pernicious Republican tampering with the colored race. A frightful negro riot occurred near Savannah, on the Ogeechee, where the man A. A. Bradley had sway. Col. R. W Flourney, a Democratic member of the Legislature, a bright young citizen, was murdered by negroes. Mr. Charles Wallace, editor of the Warrenton *Clipper*, was assassinated, and Dr. G. W Darden, a noted Republican, arrested and in jail for the atrocious murder, was shot.

In reviewing that period, with all the bad influences at work upon the ignorant colored race, and the unspeakable provocation against the whites, one is surprised that there was not more violence. The radical régime of that day stimulated the blacks to deviltry, and fired the whites to a righteous exasperation. And the natural resentment of honest Democrats was evoked and used as the intended weapon of their political injury. We had suffered enough, and should have been near our redemption. But the end was far off, and mockeries were to be enacted that were to surpass even the previous shocking experiences of this monstrous reconstruction.

The warfare between Gov. Bullock and Treasurer Angier continued, growing daily more embittered. The Governor brought heavy suits against the treasurer. Gen. Alfred A. Terry had been assigned to military command in Georgia, to aid in preserving order. He was invoked as a pacificator between these two belligerents. He had made peace between Gov. Bullock and the *New Era*, which, under Dr. Bard, had been warring upon His Excellency. The truth is that there was a decided schism in the Republican ranks, growing out of Bullock's resolute proclivity to a rehash of reconstruction. The more patriotic men of that party rebelled against it. And no man wielded a more powerful influence in antagonizing and eventually thwarting the ultimate phases of this partisan monstrosity than Chief Justice Brown. His whole course was simply acceptance of only necessary and inevitable terms of evil, and condemnation of every gratuitous abomination. From all the unholy crusades of the Bullock dynasty he kept firmly aloof, and this when he was cruelly bespattered and falsely classed as one of the common enemy.

Dr. Angier wrote a letter to the *Federal Union* in September, stating

that Gov. Bullock had paid $12,000 out of the State treasury as retainers to lawyers, $9,000 of it in the last thirty days, of which $1,500 was to F. S. Fitch, the editor of a Griffin paper, besides large amounts to the Attorney General, H. P Farrow, and other amounts out of the State road funds. He also charged that Gov. Bullock was offering excessive amounts, from one to five thousand dollars of rewards. In December, Dr. Angier wrote to one of the members of the Reconstruction Committee of Congress, in reply to a letter, stating that in the teeth of two adverse and condemnatory reports of a legislative committee upon his advance of $31,000 to the Kimballs on the opera house building, he had made a further illegal advance to the Kimballs on the same account, of $20,000 since the Legislature adjourned. Dr Angier charged that to cover these unlawful amounts, Gov. Bullock had hypothecated seven per cent. State Railroad mortgage bonds, that under the law were to be issued only in renewal of bonds then due He further charged that Gov. Bullock exhausted the contingent fund of $20,000 in less than six months, and under a vague "India rubber blanket" section of the appropriation act, he had drawn nearly $100,000 the greater part in the way of patronage to buy influence.

There is no doubt that Dr. Angier was the most hurtful opponent that Gov. Bullock had, and the people of Georgia owe him a deep debt of gratitude for the revelations he made. It was indeed a fortunate antagonism for the State, this angry combat between the Executive and Treasurer. All efforts to heal it failed. The writer, then conducting the Atlanta *Constitution* newspaper, the leading Democratic journal at the seat of government, and while striving to do even-tempered justice to Gov. Bullock, yet thundering daily at the palpable wrongs of his administration, was under obligation to Treasurer Angier for many a valuable piece of information that served materially the public welfare.

Gov. Bullock struck fiercely at Dr. Angier to crush him. He tried to break him down with heavy prosecutions, and sought a mandamus to make him pay refused warrants. But the game Treasurer stood undauntedly to his fight, and the ponderous blows he dealt the Executive, resounded over the State, and brought him many a glad acclaim from the grateful tax-payers.

CHAPTER XXXIX.

A BURNING CHAPTER OF FOLLY AND SHAME.

The most notable Events of Georgia History.—Gov. Bullock Then and Now.—His Plan for Another Recoustruction—The Central Radical Committee.—A Cruel Proclamation.—The State Indicted by Her Executive.—The Slander Mill.—The Writer's Editorial Then.—The Fifteenth Amendment Hanging on Georgia's Vote.—"The Gospel of Anarchy."—Bullock in Congress.—The New Reconstruction.—Bullock's Rejoicing.—The Georgia Legislature.—Farrow's Opinion.—Intimidation.—Chief-Justice Brown's Patriotic Course.—Opinions of Leading Men.—Thomas Hardeman.—Chief Justice Brown.—Warren Akin.—The Radical Committee.—Bluff.—Attorneys Employed.—The Reorgauizatiou.—J. W G. Mills and A. L. Harris.—The Couservative Republicaus Split from Bullock.—J. E. Bryan.—B. Conley.—A Bitter Speech.—Harris the Autocrat.—Bold Despotism.—Pistols Drawn.—An Astounding Turn.—Gen. Terry and His Military Board.—The Soldiers to Purge the Body—Selling Beef Creates Ineligibility.—Five Members Kicked Out.—Nineteeu Frightened Off.—Minority Men Seated.—The Speaker's Election a Vital Point.—The Bullock Men Elect McWhorter through Democratic Division and Folly.—Bullock's Victory Complete.—Bullock's Message.—A New Deal and Prolongation.—The Fight Remitted to Congress.—Bullock Goes to Washington.—A Stirring Battle.—Bullock's Discomfiture.—Prolongation Scotched.—Bullock's Bribery Iuvestigation.—A Republicau Committee Censure Him.—Hard Press Comment on Bullock.—The Georgia Legislature takes auother Recess.—Bullock aud Angier Investigation Committee.—Congress Admits Georgia at Last.

PERHAPS, take them all in all, the events recorded in this chapter are the most notable of Georgia history. They present a picture so novel that aftertimes will find it hard to believe the amazing reality. It seemed as if a comical fate had in pure whimsiness sought to twist every possible travesty out of the gravest concerns of state government. Seeing Gov. Bullock to-day, a quiet, autumnal figure moving in the streets of Atlanta, attending to the prosaic matters of cotton manufacture, one finds it difficult to recall the portly, gorgeous personage that in the year of our Lord, 1870, only eleven years ago, was the central power of a successful partisan crusade that dismantled our goodly State and made him autocrat of Georgia amid the unqualified abhorrence of her virtuous citizens. Reveling in a brief enjoyment of such rule as worthy men hope may never come again to a proud commonwealth of enlightened freemen, it was a stirring culmination of this dynasty of revolution to see its head, dropping the imperial authority in hot haste and for years

a hidden fugitive from criminal indictments. Repeated attempts to secure had failed, but finally the ex-Executive was brought to trial when years had effaced the bitterest memories of the time of wrong, and criminal acquittal was given after a hard forensic fight.

The proper tribunal for such public charges was an impeachment court, which was costly, ponderous and barren, and its penalty of removal from office, pointless. The career of this official is one of the marked elements of Georgia reconstruction, and the simple, unembellished record makes a striking chapter of that unique epoch.

Before Congress met in the winter of 1869, Gov. Bullock had perfected his plans for revolutionizing again our State government, that had already undergone so many shifting farces of reconstruction, that it seemed as if a grim destiny had exhausted both folly and malice in our case. On the 24th of November, a secret meeting of the Radical Executive Committee of the State was called. The Atlanta *Constitution* gave an account of the meeting that was never denied. Among those present were Bullock, Blodgett, Hulburt, Farrow, Blount, Conley, Long and others. A sub-committee, composed of Farrow, Hulburt, Conley, Jeff Long and a negro, was appointed to report on urging Congress to reconstruct Georgia again. All of this sub-committee were said to be against such action, except Mr. Conley. Majority and minority reports were made. The discussion in the main committee was said to be stormy. Through the efforts of Bullock and Blodgett, the minority recommendation of Conley was sustained. Armed with this formidable document, Gov. Bullock proceeded to Washington, to work out in person his revolutionary scheme.

Before going, however, he issued a lengthy proclamation, which he published all over the State, that both as an instrument for his destructive purpose, and as a cool, deliberate piece of premeditated malice, was never surpassed. The pronunciamento began with these venomous words:

"To the People of Georgia:—The recent renewal of active hostilities against the person and property of colored citizens and white Republicans, by the organized bands of secret assassins in certain portions of the State, seems to indicate a concert of action and a purpose on the part of said organizations to persist in defying the civil law."

With this wholesale indictment of the good order of the State, accompanied by the bold assertion, wholly unfounded, that "under the statutes at present in force, the Executive is prevented from taking active measures for the suppression of civil disorders;" he proceeded to offer five thousand dollars reward each, for the alleged

perpetrators of a long list of crimes, covering the State and including hundreds of men, and whose aggregate payment would have taken a million of dollars. And it was a significant part of the chapter of these, and a host of other like extravagant rewards so lavishly offered, by this generous-handed Executive, that the alleged criminals were so uniformly uncaught. It would be difficult to more conclusively explode the calumnies of the public peace, so malignantly used in that day as the most potential weapon of Radical success, than by this single fact.

That potential institution, the "Slander-mill," was revived in all its vigor, and outrages of every kind ground out unceasingly. The New York *Times* had an editorial on Georgia's condition that came in nicely as a help to the new crusade. And this was followed by a congratulatory letter from Gov. Bullock to that journal. Gen. Alfred H. Terry furnished his quota to the scheme in a lengthy report that the state of disorder in Georgia demanded the interposition of Congress.

The following earnest editorial of the writer in the Atlanta *Constitution*, published on the 12th of December, 1869, reflected the feeling of the good citizens of that day towards Gov. Bullock:

"Suppose that in the days when Geo. M. Troup, or any of Georgia's sons and statesmen filled her Executive Chair, the President of the United States had advised, and Congress had contemplated a blow at her sovereignty?

"Can any man doubt what would have been their course? Every sentiment of State fealty, every impulse of patriotism, would have quivered under the peril and the indignity to our beloved commonwealth. They would have been stung by the shame of the insult, as well as concerned in the damage to her welfare. Having the interest of the State at heart, identified with her honor, and alive to the weal of her great people, they would have consecrated their lives to her defense, and engaged with an unalterable heroism in her redemption.

"To-day, is seen the sad, piteous, shameful spectacle of her Executive conspiring with her enemies for the overthrow of her liberties. Plotting, scheming, bribing, truckling, maligning, toiling for her injury and abasement, he is alike blind to her sufferings, callous to her dignity, inimical to her interests.

"No state of facts can justify such an act in such an official. The people overwhelmingly differ with him on great public questions involving their welfare, not his. Yet, forsooth, because his personal views are not carried out, he leaves his duty to machinate against the people for their injury, recking nothing that the government of a million virtuous people is demolished by the act, and anarchy and the rule of ignorance substituted therefor.

"'How long, Oh! Cataline!' As old as time, and stamped with the imprimatur of Holy Book, is the utterance, that when the wicked are in power their people groan in tribulation.

"Georgia is no exception. Her rulers are against her, not for her; they are seeking personal aggrandizement, not the public weal; they govern for plunder and despotic control, not for the interest of their people.

"Can Gov. Bullock wonder that he enjoys the scorn of the good? It is not nature for men to love the enemy to their liberties and their prosperity.

"He may succeed in his fell purpose, but success can bring him neither respect nor honor. It will be the triumph of reckless cupidity and unholy ambition. That man, who for personal interest can drag his country down, is a foe to humanity itself."

It was one of those mysterious strokes of evil fortune that steadily accompanied our ill-fated State in those evil days, that just at that juncture the success of the Fifteenth Amendment hinged on Georgia's vote. This stern necessity fixed our fate. Morton introduced a bill in the United States Senate to reconstruct Georgia, and making the ratification of the Fifteenth Amendment the condition of admission to the Union. President Grant, in his message, recommended further tinkering with Georgia. Senator Edmunds had postponed his bill to enforce the Fourteenth Amendment in Georgia, so as to allow the new measure a chance. Representative Shanks, in the House, introduced a bill to complete reconstruction in Georgia. Bullock went before the reconstruction committee, and pressed the crucifixion of the gallant old commonwealth. The measure came up in the Senate, Bullock on the floor, urging the rape of his own State's sovereignty. He had taken expensive apartments, kept a carriage, and wined and dined with a royal prodigality. The State road had paid no money in three months into the State treasury, and the press indulged in every species of insinuation as to where the money went.

The Senate passed the despotic measure by a vote of 40 to 9. The House then passed it swiftly. Warm debates in both houses transpired. Georgia filled a large measure of the public attention. Dr. Angier's letter on Gov. Bullock's financial errors was sprung in Congress, and staggered a number of the supporters of the measure. Trumbull and Thurman both fought the bill, and also Mr. Bayard. The New York *World's* report said:

"While Mr. Bayard was speaking, the anthor of all this rascality was sitting on a sofa in the Senate, with folded arms and dramatic style, but he changed position repeatedly, wandered about uneasily, and finally took a seat by Mr. Morton. Bullock is a large, portly, vulgar-looking man of about fifty-five, wears a full, reddish beard, and a large neck-tie, with long, projecting ends."

The correspondent of the Augusta *Chronicle* thus wrote:

"Bullock has been lying aronnd the Senate chamber all day, and seemed to be greatly interested in the discussion. Between the acts he has been gorging himself with the Senators in the lunch-room, or restaurant in the Senate. He is still going it with a high hand, and is spending somebody's money like water. He gave another supper to Congressmen and other officials, last Thursday night, which is represented to have been a most magnificent affair."

In the House there was an even warmer time than in the Senate. Mr. Beck, of Kentucky, made a speech and had Dr. Angier's letter read, stating that the "letter had been read by himself this morning, to Gov. Bullock, so he might contradict the charges if he could, but neither he nor any friend of his had successfully done so." Hon. S. S. Cox made a biting speech against the bill, declaring

"It is the gospel of anarchy, and the philosophy of dissolution."

One of the papers had this to say of Bullock's agency in the House:

"Gov. Bullock seemed, in fact, to be managing the bill in the House. He was on the floor all day, and was consulted by Butler at every stage. His presence was remarked as being about the boldest piece of lobbying ever witnessed in Congress."

The House passed the bill by 121 yeas to 51 nays. Bullock continued as accoucher to the bill, accompanying Senator Thayer, chairman of the committee on enrolled bills, to President Grant for his signature. The President signed without reading. The *National Intelligencer* published in Washington, thus records Gov. Bullock's feasting over the result:

"The celebrated *Cafe Francaise* was the scene on Wednesday night of a Bacchanalian feast, given by Gov. Bullock, in honor of his triumph over the people of Georgia, to the aiders and abettors of the scheme. Wine flowed like water, and rich viands were greedily devoured; in the midst of which the company gloated in fiendish triumph over the vengeance they had wreaked upon an unhappy and defenseless people. What mattered the expense? The people of Georgia would be made to foot this and many other bills of like nature. With his hands to the elbow in the State Treasury, Mr. Carpet-bagger Bullock can well afford to be sumptuous, and to dine and wine, and feast and flatter the men who have done his bidding on the floor of Congress. Whether or not he has inaugurated a gift enterprise, in which these servile and traitorous Congressmen are to participate, we cannot say."

The act directed the Governor of the State of Georgia by proclamation to convene the legislature. Members must be required to take an oath that they had not shared in the rebellion after holding an office, or that they had been relieved by Congress. Any one taking a false oath should be punishable for perjury. Any one hindering a member from taking the oath or acting as member after taking the oath, would commit a felony. The exclusion of members for race or color was forbidden. The Governor was authorized to call for the military. And the ratification of the Fifteenth Amendment was required before senators and representatives could be admitted.

It was a curious piece of legislative inconsistency, and evoked some scathing criticism. The validity of the Fourteenth Amendment was partially resting on Georgia's ratification as a State, and yet she was declared

not a State, while the said ratification was claimed as good. The State was not allowed to be a State, and yet its ratification of the Fifteenth Amendment was sought, the act of a State, before it should become a State. Such a blaze of political incongruities will find no parallel.

Gov. Bullock called the legislature to convene on the 10th of January, 1870. In entire lack of authority from the act he signed this proclamation as "Provisional Governor." Gen. Terry was announced from Washington as commander of the district of Georgia, under the Reconstruction Acts, instead of as Department commander, in order to give him civil authority.

The action of Congress excited a profound feeling. The year 1870 began in deep gloom for the people. The apprehension of calamity was wide spread and universal. While men had become wearied in their very powers of indignation at the recurring oppressions and caprices of reconstruction, they felt keenly this last stroke and regarded Bullock and his allies in the abhorred work with an intense loathing. Yet never did a people deport themselves with more dignity and patience. The new reconstruction act had been drawn with great shrewdness and forethought. The clauses imposing the penalties of perjury for a false oath, and making it a felony to hinder men taking the oath, were meant, the one to intimidate Democrats, and the other to strengthen timid Republicans. But by a curious reversal of results the felony clause was vigorously used to check the radical effort to alarm the Democrats from taking the oath.

Gov. Bullock immediately called upon Col. H. P Farrow, the Attorney General, for an opinion, who gave a sweeping one, that no officers, from Notary Public up, could qualify themselves. And to clinch this ruling, he got an approval of it from Gen. Terry. The whole policy was to deter and frighten enough Democrats from taking the oath under fear of a prosecution for perjury, to give in addition to the negro members, enough Republicans to control the Legislature. And it will be seen that this policy was pursued to success under the most audacious assumptions of unauthorized power, and daring disregard of rights and law. The Democrats saw the drift and set to work to remedy it.

A committee composed of members of the Legislature, including both Democrats and a few conservative Republicans, addressed a letter to Chief Justice Joseph E. Brown, who had opposed every scheme of unnecessary reconstruction, asking his view of the principle urged by Farrow that Notaries Public, Road Commissioners, officers of the

militia, officers of municipal corporations and State Librarians were disqualified from being members. Judge Brown responded, giving his opinion, as questions about disabilities of Legislators could not come before him as Chief Justice for adjudication. He made a strong, unanswerable argument, squarely antagonizing Col. Farrow, and demonstrating that none of these officers were disqualified from being members. The paper was a very able one, and had great weight. It was a heavy blow to the Bullock wing, and gave them a good deal of trouble.

Col. Avery, editor of the *Constitution*, addressed a circular letter to a number of leading men, asking their views upon two points:

"1. Upon the legal scope of the bill (the late act of Congress to promote the reconstruction of Georgia), and the full extent to which the General Assembly can go under its provisos in disturbing the present State government.

"2. What is the course that patriotic members of the Legislature should pursue for the interest of the State."

Some of the responses were very striking papers. Perhaps the most remarkable of them all was from Hon. Thomas Hardeman. It was both a brave and an exceptionably able document. He put some very unpleasant truths in fearless language. He said Democrats must quit defying Congress, stop the foolish non-action policy, cease driving men into the Republican ranks by denunciation, and adopt a kind and conciliatory course to the blacks. The reply of Chief Justice Brown urged that the legislature submit to the inevitable and promptly ratify the Fifteenth Amendment. Negro suffrage was already a fixed fact in Georgia. This Amendment made it a certainty in the North. The objection urged against the Chicago platform, on which Grant was elected, was that it approved negro suffrage as good enough for Georgia, but not good enough for Ohio. Why should Georgia be shut out from representation rather than impose negro suffrage upon those who put it on us. Judge Brown placidly referred to the verification of his prophecies of harsher terms for rejecting the original reconstruction, and condemned the policy of non-action. He intimated his perception of the purposes of the champions of additional reconstruction in these significant words:

"Many patriotic citizens believe they see in the present movement schemes of personal ambition and personal gain at the expense of the State. If they are right, it is all important that every friend of Georgia, who is in a position to serve her, should be at his post, to protect the public property, the public credit, and the public interest."

Gov. Bullock made the blunder of his administration when he cut loose from the calm, conservative, firm counsel of Gov. Brown. He

would have been kept in the rut of a safe, capable and honest government. He had the chance to make an administration of unprecedented power and popularity. As it was he drove the conservatives of his own party away from him, he incurred the righteous hatred of his opponents, and he steered the stout old vessel into the storm and upon the rocks.

Col. Warren Akin in his letter declared the expulsion of the blacks and the seating of the next highest members to be mistakes. He urged all eligible members to attend and vote against the Fifteenth Amendment. Gen. Wm. M. Brown said the law was irresistible, and the Democratic members should conform to its requirements. Judge Linton Stephens, in a letter of great power, urged non-action. The Democratic Executive Committee met and conferred with a large number of outsiders. The committee urged attendance, but gave no advice about the Fifteenth Amendment. Col. Nelson Tift urged the ratification of the Fifteenth Amendment.

The Radical Central Committee convened and organized an aggressive campaign of daring bluff. They declared that there were fifty ineligible Democrats. It was announced in the papers that the law firms of Lochrane & Clark, Dougherty & Culberson, and J. L. Hopkins had been employed to aid A. T. Akerman in prosecuting such alleged ineligible members for perjury, if they dared to take the oath. Judge R. H. Clarke and W Dougherty denied such employment for themselves as individuals. Judge Hopkins acknowledged the employment, but disavowed any purpose to be a party to any political persecution.

The Democratic Executive committee met this with a counter declaration, that able counsel would be employed both to defend members thus prosecuted, and to prosecute for felony those who should seek to hinder them from qualifying. It was a novel feature of the political situation that there should be this sort of cross-play of threatened prosecution. Gov. Bullock subtly offered to aid any, who might be in doubt of their eligibility, in getting relieved by Congress of their disabilities. Every effort was made to stiffen the backbone of the Democrats, but in spite of it all the Bullock strategy was partially successful.

There never has been and never will be seen in Georgia annals such another wretched, humiliating, arbitrary, lawless farce as the reorganization of that Legislature, beginning the 10th day of January, 1870. That body had undergone two transformations. It was to pass through a third, that violated decency and shocked every principle of law and bond of precedent. It was the vilest travesty of legislative propriety

ever perpetrated in any time among any people. It had neither the semblance of law nor chivalry. It was a mockery of both legal and military honor. It was marked by the brutality of the sword and a jeering contempt of the statute. It kept up a repulsive comedy of blended civil and soldierly harlequinism. It excited the derision of even its supporters. It elicited the hot scorn of its enemies. It evoked the disdain of everybody. Men of respectability absolutely looked on aghast and bewildered at the cool audacity of the nameless outrage. It was a profanation of everything sacred in government. It sprung upon the country a succession of surprises as fantastic and indefensible as would be the pranks of so many irresponsible monkeys. These are strong words, but not overdrawn. The conservative portion of the Republicans branded the outrages openly, while a congressional report of a Republican House officially rebuked the whole proceeding.

When the members assembled, Gov. Bullock selected J. G. W Mills to organize the Senate, and A. L. Harris, one of the employés of the State road, to organize the House. Harris was a western man of enormous corporosity, weighing three or four hundred pounds, a cool, humorous, dry-witted, careless giant, indifferent to abuse, keenly relishing the absurdities of the situation, and equal to any emergency. No attack could ruffle, and no inconsistency of order disconcert him. He was an admirable selection for the odious and perplexing service needed. He obeyed orders implicitly, and held to his arbitrary rôle with a fine blending of pluck and fun. The organization was run along capriciously to suit the exigencies of radical necessity. Bullock hoped that he had terrified enough Democrats off, with the re-seated negro members, to give an easy and safe Radical majority. The opening not only showed the Democrats unfrightened, but there was quite a sprinkling of the more moderate Republicans, headed by J. E. Bryant and Caldwell, who refused to go with the extreme men of their own party.

This was an alarming surprise, but it was met daringly by Bullock. His resolve was to have no organization until he could get such a one as he wished, and this programme was carried out to the letter. It was the richest puppet show of the age. The proceedings were interrupted and adjournments ordered at any time. For days the farce was run of a fat, jolly Westerner, a foreigner to Georgia institutions, a paid subordinate of the State railroad, organizing a sovereign Assembly of Georgia Legislators at his imperial caprice, backed by Terry's bayonets, setting aside parliamentary law and the remonstrance of representatives,

with a sportive sneer and an unappealable absolutism. Such a spectacle has no parallel save in the fantastics of reconstruction.

The Hon. Joshua Hill in the United States Senate, in April, 1871, in a powerful speech against the admission of Foster Blodgett as United States Senator, made the following graphic reference to this outrage, which shows that even an honest Republican sentiment revolted from it:

"There is a good deal of curious history about the assembling of that Legislature under the act of Congress of December, 1869. It was a very memorable occasion in Georgia, a most remarkable event in its history. I happened to be a spectator of some of the scenes that occurred there. They were curious; and if it had not been for the gravity of their consequences, they would have been ludicrous enough to have tempted the pen of a Cervantes or the pencil of a Cruikshanks. Why, sir, there sat on that occasion, with the representatives of the people called together under this Congressional act, a great "ton of man," from the State of Ohio, I believe, or somewhere else, who, enthroned like another Falstaff, acting the part of King Henry IV before his profligate son, overawed and thundered into silence the representatives of the people. Who was he and whence came he?

"Mr. Sherman—'If that gentleman was from Ohio, I should like to know his name.'

"Mr. Hill—He is big enough to come from Ohio, from Porkopolis, or anywhere else. His name is Harris. Mr. Blodgett had been appointed, by the Governor of Georgia, Superintendent of the Western and Atlantic railway. As I am informed, Mr. Harris was the Supervisor of that great public work, appointed by Mr. Blodgett, and by some hocus-pocus, he appeared there on that occasion to organize this Legislature, taking his chair of State, and looking as I fancy Norbury did when he rode the bloody assizes in 1798.

"Men looked amazed and aghast. If there were ever Ku-Klux in Georgia, it occurred to me that that was about the time they ought to have showed themselves—when a stranger, a man wholly a stranger to the Legislature, and almost to the whole people of the State, appeared there, and occupied the chair of the Speaker, thundering out his edicts to the representatives of the people, ordering them to disperse and begone to their homes, adjourning them at his pleasure and calling them back when he pleased, and these obedient servants of the people going and doing his behests! Why, sir, the scene was pitiable."

The Senate swore in swiftly, and Benjamin Conley was elected president. While the members were taking the oath, printed protests were offered by the colored Senator Campbell, against a number of Democratic Senators qualifying, and the same thing was done in the House by O'Neal. It was confidently relied that the fear of prosecution for perjury by the Democrats against whom the protests were filed, would frighten them from qualifying, and it was a significant fact that negroes were selected to present these protests which really made their authors liable to prosecution for hindering members from swearing in.

But the game failed, and a change of tactics became necessary. Mr. Conley, in his address on taking the presidency of the Senate, made as

bitter a speech as was delivered during the whole reconstruction era. He denounced the good order of the State, savagely assailed the Democrats and intensified its hot blaze of rancor with this extraordinary utterance:

"The Government has determined that in this republic, which is not, never was, and never can be a democracy, that in this republic Republicans shall rule."

It must ever be among the unexplainable anomalies of that time that a man like Mr. Conley, of evident and acknowledged personal integrity, should have become so warped, and said, and lent himself to, such grave deviations alike from good feeling and public right. It illustrates to what extremes worthy men can go in partisan conflict.

In the House there was a lively time the first day. Harris refused to answer questions upon points upon which he was unloaded, and curtly nipped off suggestions. Bryant, before he was sworn in, objected to reading Col. Farrow's construction of the Georgia bill. Harris called him to order. Bryant declared Harris had no authority to be where he was. Harris ordered the sergeant-at-arms to arrest Bryant. Bryant refused to be arrested, declaring this was an attempt to intimidate members. Hinton and a son of Foster Blodgett attempted the arrest. Great excitement prevailed. A negro drew a pistol on Bryant. There were some violent harangues. Order was at length restored, and the swearing proceeded.

At length Bryant moved that J. H. Caldwell be made chairman of the meeting. The motion was carried in a storm of applause. Bryant started with Caldwell to the chair, but Caldwell got alarmed and drew off. Dunlap Scott nominated Bryant for chairman, which was carried. Bryant mounted a chair, and a motion being made to adjourn until ten o'clock the next morning, he put the motion which was carried, and he declared the House adjourned. He appointed Caldwell, Scott and Osgood a committee to wait on Gen. Terry. Harris, cool and undisturbed, proceeded with his call of the roll. The committee returned from a conference with Gen. Terry, who said that the attempt to read Farrow's opinion was wrong. Harris refused to let the committee report, and when he was charged with treating Gen. Terry with disrespect he ordered Scott to take his seat. Harris carried his authority with a high hand. A messenger came in from the Executive department, and whispered to him, and he adjourned the House. A Radical caucus was called to consider the situation. Another matter that created a lively comment was, that the proceedings were conducted with closed doors,

and parties had to get printed tickets of admission. And between sessions Bullock kept the rolls of the House.

But matters took a most startling turn when the roll of the House was nearly finished. Between the Conservative Republicans and the unalarmed Democrats the control of the Legislature by the Bullock men was in doubt. The strategy resorted to was desperate indeed. Like a clap of thunder in a clear sky, an order was plumped into the General Assembly, on the 14th of January, by Bullock, approved by Gen. Terry, directing a recess until Monday the 17th, after the roll-call was finished, for inquiry into the eligibility of certain members. And following right on, taking the people's breath away, was a military order from Gen. Terry, creating a board of officers, composed of Maj. Gen. T. H. Ruger, Brig. Gen. T. J. Haines and Maj. H. Goodfellow, to inquire into the eligibility of Senators W T. Winn, J. J. Collier, A. W Holcombe, W J. Anderson, B. B. Hinton and C. J. Wellborn.

When this astounding turn was given to affairs, it may well be imagined how the public quivered in its indignation. This was reconstruction with a vengeance. The setting up of an absolute autocrat in the person of the gigantic Harris, to tyrannically twist as he pleased the organization of the elected representatives of a free people and a great commonwealth, was a revolting usurpation. But great as was this wrong, it paled before the enormity of flagrantly violating the very law under which the reorganization was proceeding, which made every member the keeper of his own conscience in taking the oath, and of seeking to purge the Legislature by a court martial. The law prescribed indictment in the Federal Court as the remedy for any perjured qualification of members. And yet here was the bayonet invoked to mutilate the Legislature and thwart the solemn rights of the people without a shadow of authority. It seemed as if this ranging abomination of reconstruction was to invent and enforce every iniquity and fantasy in the scope of an unbridled and malignant invention. And not the least curious thing of it all was that this miserable business of a crazy tampering with rights and laws, while evoking the derision and contempt of everybody, and while condemned and repudiated by Congress itself, was permitted to stand in its wanton exclusion of legislators from their constitutional rights. Such crimes against the government were like the defilement of sanctuaries. Our people shuddered and suffered them in impotent horror, and bestowed upon Gov. Bullock and his coadjutors in the fell work an immeasurable loathing.

The Senators had as counsel before the Military Board, John Collier, R. H. Clark, and George N. Lester. They made a protest against the jurisdiction of the Board. Attorney General Farrow conducted the prosecution. After getting through with the Senators, the Board took up the Representatives. A committee of the Legislature applied to Gen. Terry to allow the Court to determine the questions involved. The Legislature was adjourned to a later date to await the investigation. The Board made the remarkable announcement, after a while, that while it could compel witnesses to be present, it had no authority to force members to attend. The tremendous public odium against the proceeding was having its effect. Senator Morton in a speech denied that President Grant had authorized the Board. Gen. Sherman said that Gen. Terry might have appointed a board of three citizens as well as a board of officers, but still the mischievous and illegal commission pursued the tenor of its way. And only Democrats were the objects of its inquisition.

On the 25th of January, 1870, Gen. Terry sent in his order to the House to the effect that R. A. Donaldson, E. M. Taliaferro and J. H. Nunn were ineligible, and prohibited them from qualifying, and that J. B. Burke, J. A. Brinson, A. T. Bennett, A. M. George, David Groff, W J. Hudson, D. Johnson, H. C. Kellogg, J. W Meadows, J. H. Penland, R. C. Surreney, J. R. Smith, H. Williams, J. C. Drake, J. T. Ellis and J. M. Rouse, having refused to take the oaths, and having filed with Gov. Bullock applications for relief of their disabilities by Congress, admit thereby their ineligibility, and were therefore prohibited from taking their seats.

On the 28th an order was issued declaring Senators W T. Winn and W J. Anderson ousted, and E. D. Graham and C. R. Moore ineligible because they had failed to qualify, and filed applications for relief. Senator J. J. Collier had taken the oath, but applied to withdraw it, and filed his application for relief, and was therefore declared ineligible. Senator Winn had sold some beef to Confederate soldiers, for which he was deprived of his high trust as a State Senator. Certainly it would be difficult to find a better illustration of the tragic silliness of this high-handed procedure.

The result was that five Senators and Representatives were kicked out under this bayonet process, and nineteen frightened from taking their seats. And months after, a correspondent of the Augusta *Chronicle* reported that some of the applications of the credulous gentlemen who had filed their applications with Gov. Bullock for relief from their

disabilities, were lying in the Executive office. The mingled game of intimidation and relief had been partially successful.

The next step in the programme was learned from the Democrats themselves, and that was seating the next highest candidates. Gov. Bullock recommended this, afraid to run the gauntlet of an election. The highest were seated. There were vacancies, but the Executive withheld orders to fill them by election for months.

The next battle was over the election of a Speaker of the House, and an important one it was. With a friendly presiding officer the Democrats had much to gain. Here, with an inexcusable blundering, they threw away the chance. Bryant was selected as the candidate of the Democrats and Conservative Republicans, and was defeated by R. L. McWhorter, because ten Democrats refused to go for Bryant. Five of them, Harrison, McArthur, Parks, Radish and Smith voted for McWhorter. V P. Sisson threw away his vote on John Smith, and Rawls, Irwin, Tumlin and Welchell voted for Price, who refused to be a candidate. A personal collision occurred between J. E. Bryant on the one side, and the Blodgetts, Tweedy and Fitzpatrick, in which they bruised Bryant.

The victory of Bullock was complete. He had absolute control of the legislature. Thirty-one negroes re-seated, and twenty-four Democrats ousted and Republicans in their places made the General Assembly overwhelmingly Republican. There was an under-current of movement running along concurrently with the public events that would be very interesting. The restless conflict of secret chicanery, the partial successes on each side, nipped untimely, would make a readable chapter. There is no doubt that Gov. Bullock's bold usurpations endangered his official tenure. Several times the Democrats, by unity, had in their grasp control of the situation. Every conceivable influence was brought to bear to destroy the compact integrity of the Democratic organization. And sometimes honest weakness was as damaging as venality.

Nothing will better show the spirit of the men controlling this body than the offering of a resolution, that only those reporters should be allowed to be present that gave fair reports.

Gov. Bullock sent in a message to the legislature that foreshadowed the balance of his comprehensive and revolutionary programme. He was certainly playing a bold and desperate game of ambition. The message was an able one, but bitter as gall. It slandered the peacefulness of the State to the full. It argued that the State was simply a military province, with a provisional government existing by caprice. The

whole purpose of the message was to secure new United States Senators, and pave the way for getting Congress to prolong his term, and the term of the legislature two additional years. He advised the ratification of both the Fourteenth and Fifteenth Amendments, though the Fourteenth had already been ratified. But his theory was that there had been no reconstruction, that the first ratification was invalid, and that every thing must be done over again. The obedient legislature, in spite of Democratic protest, ratified the Fourteenth and Fifteenth Amendments, and the expurgation of the Relief clause in the Constitution, and adjourned until the 14th of February. On the 15th of February the body elected a new batch of United States Senators. R. H. Whitely was elected in Dr. Miller's place, until March, 1871, and H. P. Farrow in Joshua Hill's place, until March, 1873. The duty of selecting a senator for the term ending March, 1877, belonged properly to the next General Assembly that would follow this one. This body was not to be chouselled out of the privilege, and elected Foster Blodgett Senator for that long term. The legislature then adjourned on the 2nd, until the 14th of February.

This extraordinary reconstruction struggle was transferred to the Halls of Congress, and the new phases upon a national arena were among the most notable of this racy farce. Bullock hurried to Washington on the adjournment of the legislature, to engineer his schemes in person. He had been marvelously successful before. He was destined this time to some hard defeats. Men cannot always succeed in the wrong.

The Judiciary Committee was instructed to inquire whether the Georgia Legislature was organized properly. Bullock had an uphill time. He found the set of things against him. Bryant, Osgood and Caldwell were there opposing him actively. Bullock had Blodgett, Tweedy, Conley, John Rice and Judge Gibson giving him aid. He finally left in disgust, and Judge Gibson made an argument for him before the committee. The legislature re-assembled on the 14th, elected Senators as we have stated, and adjourned on the 17th of February until the 18th of April, 1870, to await the action of Congress.

Gov. Bullock returned to Washington to resume his momentous fight. He went at it with his gloves off. He invoked every influence that could purchase or win. The Slander Mill was put vigorously to work. He sought every aid possible. He argued before the committees. He enlisted every legislative power. A correspondent of the New York *World* reported that his expenses were $100 a day. The

matter excited a national interest. The ratification of the Fifteenth Amendment was being delayed for the passage of the Georgia bill. There was no longer any motive to deal any farther harshness to Georgia. The credentials of Whiteley and Farrow were presented in the Senate and withdrawn. Hill and Miller having been elected before the negro members were expelled, there was a decided disposition to seat them.

The main fight that Bullock was making, however, was to have the whole thing declared provisional with a view to removing objectionable officers who had condemned the extreme measures of the Bullock dynasty, and get Congress to make the term of the dynasty begin with restoration to representation. It was a heavy blow when the House Committee reported against every act of the re-organization of the Georgia Legislature. It condemned the use of A. L. Harris, the seating of the next highest candidates, and the reference of the question of eligibility to the Military Board. A warm discussion ensued in the House. And finally the action was a grave defeat for Bullock. The bill was passed restoring Georgia with an Amendment of Mr. Bingham preventing interference with officers or prolonging terms. The bill went to the Senate, and the struggle over it there was long and severe.

The crushing disaster in the House nerved Gov. Bullock to renewed efforts. The man's persistence, resources and savagery, were phenomenal. His gameness was worthy of a better cause. He enlisted Forney's paper to champion his project, paying his establishment $4,459 for work and services. He had a delegation of the negro members of the Georgia Legislature to visit Washington, and file a protest against the Bingham Amendment, to whom he advanced $1,400 for expenses. He induced the negro Senator Revels to make a speech against it. He got up a large meeting in Washington. His expenditures in Washington ran to $14,500, as elicited by the United States Senate investigating committee, that was appointed to look into certain charges of bribery that were made, of which he showed the committee a considerable part spent on private account. His hotel accounts alone were $1,868 for a few weeks, as testified by the proprietors of Willard's hotel.

The gravest matter connected with this painful Georgia episode in the United States Senate was, that the investigating committee, Messrs. Trumbull, Edmunds, Conkling, Sherman and Carpenter, reported evidence showing that improper means had been used to influence the Senate on this Georgia measure. Mr. James Hughes swore that Lewis

Porter, assistant postmaster of Washington, told him that $10,000 of Georgia railroad bonds would be "put up" to influence the vote of Senator Carpenter on the Bingham Amendment. H. M. Atkinson, a son-in-law of Senator Tipton, swore that a man named Gibbs offered to give $1,000 if Tipton would vote against the Bingham Amendment. Two members of the committee, Stewart and Rice, dissent from the majority of the committee in censuring Gov. Bullock.

This revolting matter created a profound sensation over the whole country. The press dealt with Gov Bullock severely. The New York *Herald* pronounced it an "infamous attempt to influence legislation." The Philadelphia *Age* spoke of the "Georgia Conspirators." The Chicago *Times* characterized the developments as "scandalous facts." The Chicago *Tribune*, the leading Republican journal of the North-west, was very pungent, declaring the connection of Forney's *Chronicle* with the affair, "disgraceful to journalism." The New York *Commercial Advertiser*, another Republican journal, thus discoursed:

"The people of the United States are just about sick of the name of Bullock. A Senator remarked last week that Congress had 'Bullock on the brain.'"

Sumner, Hamilton and Morton were the leaders on the Bullock side, making bitter speeches. Morton especially delivered a truculent, bad-spirited enunciation. Senator Hamilton of Texas, closed his speech by saying, that the people of the South were the "most blood-thirsty set of cut-throats God had ever permitted on his foot-stool." The reporter stated, that "Gov. Bullock of Georgia and Gov Clark of Texas shook hands with Hamilton on his conclusion." The *Constitution* made this commentary upon this incident:

"The thoughtful and fervent lover of his State sees matter for amazement in the affair under any possible supposition creditable to the man. An honorable and patriotic spirit, giving credence to a state of public disorder that hard facts would uot let him disbelieve, would mourn over the sad state of things, and seek its correction in a remedy that carried as little of shame to his people as possible. The exultation he exhibited over the mendacious expositions of the man Hamilton, finds a parallel alone in the ribaldry in which a drunkard might indulge over the grave of his father.

"Let us turn the leaf over one of the most sickening pages of Georgia's history."

Edmunds, Norton, Carpenter and Ferry made biting speeches against Bullock's scheme. Senator Norton said:

"When we are told that the Ku Klux Klan are ravaging that State, the Governor of that State is here in the Senate chamber, lobbying and log-rolling to keep himself and his friends and his political party in power. Sir, let him go home!"

Senator Edmunds gave Gov. Bullock a severe punishment. Senator Ferry also used some very harsh terms in denouncing the measure.

Schurz and Trumbull followed in able speeches against the iniquity. The Senate passed, April 19, 1870, a substitute for the whole matter, which recited that irregularities had existed in both organizations of the Georgia Legislature, and declared the government of Georgia provisional to continue under military rule, but that a new General Assembly should be elected on the 15th of November, 1870.

The bill thus changed, went back to the House. The bribery investigation in the Senate followed, holding up Gov. Bullock to the scorn of the whole country. Baffled and stung, smarting under the excoriation of the ablest Republicans in Congress, Gov. Bullock returned to Georgia. The Legislature convened on the 18th of April, 1870, and adjourned on the 4th of May, to take a recess until the 6th of July, appointing committees to investigate the Governor and Treasurer, the State Road and the penitentiary.

The Bullock-Angier committee was Bethune, Shumate, Bell, Price and Darnell.

The State Road committee was Lee, Parks, Maxwell, Phillips and Tweedy.

The fact is, that in the defamation of Georgia peacefulness it was overdone upon the United States Senate, and resulted in horrifying Congress to such an extent that there was a disposition to undo not only the State's reconstruction, but Bullock himself. The Senate bill went to the House. Four substitutes were offered for it. The measure was accommodatingly postponed ten days on Ben. Butler's account, at his request, as he was called away.

The House Reconstruction Committee consisted of thirteen members, of which Butler was chairman. It had four Democrats, Beck, Wood, Woodward and Morgan, who stood gallantly to Georgia. Our people owe a special debt of gratitude to Representative Beck of Kentucky, now Senator from that State. The committee adopted Butler's Georgia bill by a majority of one on the 19th of May, 1870. Gov. Bullock was in Washington on the 16th, having been summoned to testify in the bribery investigation matter. The new bill admitted the State at once, leaving the question of the tenure of the Legislature an open one, to be settled in the State and not in Congress, and gave the Governor the power to organize the State militia. The bill was the same as the acts admitting Virginia and Texas, save that the organization of the militia was allowed. The measure hung until it finally passed the House on the 24th of June, 1870, declaring Georgia entitled to representation in the Congress of the United States, allowing

the organization of militia, but breaking the Bullock programme in this clause:

"But nothing in this Act contained shall be construed to deprive the people of Georgia of the right to an election for members of the General Assembly of said State, as provided for in the Constitution of said State."

The bill went back to the Senate, was discussed and fought over there for weeks. It at last was amended and passed, the amendment agreed to by the other branch of Congress, and on the 15th day of July, 1870, it was signed by President Grant. The act reads thus:

"Sec. 1. That the State of Georgia having complied with the Reconstruction Acts and the Fourteenth and Fifteenth Amendments to the Constitution of the United States, having been ratified in good faith by the legal Legislature of the State, it is hereby declared that the State of Georgia is entitled to representation in the Congress of the United States, and nothing in this or any other Act of Congress shall be construed to affect the term to which any officer has been appointed or any member of the General Assembly elected as prescribed by the Constitution of the State of Georgia.

"Sec. 2. That so much of the Act entitled 'An Act making appropriations for the support of the army for the year ending June 30, 1868, and for other purposes,' approved March 2, 1867, as prohibits the organizing or calling into service of the militia forces in the States of Georgia, Mississippi and Texas, be and the same is hereby repeated."

This ended Congressional action upon Georgia, though it failed to quell the restless and disturbing demon of reconstruction, which threatened and toiled for new phases of interference.

CHAPTER XL.

THE TWIN INFAMIES OF PROLONGATION AND FINANCIAL MISMANAGEMENT.

The Semblance of Free Ballot.—Prolongation attempted in the Legislature.—Bullock's Subtlety.—His Message.—Congress Set Aside.—No Election.—Akerman and Farrow against Bullock.—Deep Excitement.—Prolongation Killed.—The Grotesque Election Scheme.—Democratic Folly and Absenteeism.—Legislative Adjournment.—Its Obituary.—Its List of Outrages.—The Kimball Opera House.—Frauds.—Report of Legislative Committee on Bullock's Misrule.—Proclamations.—Pardons.—Their Abuse.—Wrongs of State Aid.—Bonds Endorsed for Uncompleted Railroad.—State Bonds Over-issued.—Gold Bonds.—Henry Clews.—The State Road in 1870 under Foster Blodgett.—A Mountain of Infamy.—Wholesale Squandering and Thievery.—Two Millions Gone.—The Road a Refuge for Tramps.—W L. Clark.—Racy Details of Plunder.—N. P. Hotchkiss and "Rigid Economy."—Blodgett and his "Political Policy" of the Road.

It might have been reasonably supposed that the decisive action of Congress, made law by the Presidential sanction, would have terminated the matter in Georgia, and given quiet to the long-suffering State. PROLONGATION, that most abominable of all the odious infamies of reconstruction, had been expressly rebuked. Even the unsparing extremism of the day recoiled from this most antipodal graft upon our free institutions, this perpetuation of dynasties afraid of the popular will. It is a noticeable fact that under all of the tyrannies of reconstruction there was an underlying attempt to preserve the semblance of the free ballot. Prolongation was simply the ugly, unredeemed spirit and practice of despotism, and it was contemptuously crushed. But Gov. Bullock and his allies were not to be thus thwarted.

The struggle for this loathsome thing was transferred to the Georgia Legislature, and the most desperate and exciting conflict of this unprecedented General Assembly, the battle of all its battles, that fired more heat and made intenser rancor, was the one over prolongation. The movement was begun immediately. Gov. Bullock proved himself, through the whole stormy play of his term, an exceedingly able manager. He was subtle and ingenious—inventive in ruses, and as audacious as he was diplomatic in execution. He addressed a brief message to the General Assembly, which had convened on the 6th of

July, 1870, in which he communicated the passage of the Act admitting Georgia, but said that Congress had adjourned without having admitted our Senators and Representatives. He then proceeded to say that section five of the reconstruction act of 1867 made the actual admission of Senators and Representatives a condition precedent to the abrogation of military authority, which would therefore continue until the assembling of Congress in the winter.

This cool setting aside of the recent act of Congress and attempted continuation in force of the old act of reconstruction, stirred a deep resentment. His message was signed "Rufus B. Bullock." A flood of jeering badinage was showered upon him for thus dodging his title. He had, in the first days, signed himself "Provisional Governor," then "Governor," and then "Provisional Governor" again, and in the nondescript exigency of this last condition he ingeniously put himself down simple "Rufus B. Bullock;" neither "Provisional Governor" nor "Governor," but citizen Bullock, ruling a mongrel concern that was half province and half state, and yet neither the one nor the other, and to be kept shorn of sovereignty for the personal purposes of this Executive and his friends.

A measure was introduced that we should have no election. It was first agitated in the Senate. The State rang with denunciations of the wrong. Col. H. P. Farrow, the Attorney General, published a letter against it, thus splitting from Bullock. Chief Justice Brown resisted it with all of his energy. But Bullock and his friends pressed it with grim persistency He and they knew it was the only way to get a continuation of rule beyond their term. Never did men cling more stubbornly to power. It was a deliberate attempt to set aside the right of election and prolong office at the expense of law, and in violation of right and every principle of our republican government; but this mattered nothing. The unholy crusade to deprive the people of the ballot and fasten the Bullock dynasty and legislature on the State for two years beyond the term for which they had been chosen, was persisted in as an alleged right under the law.

The Senate showed its resolute partisanship by admitting a man named Wm. Henry, a minority candidate, in place of Senator B. R. McCutchen, who had died. The Senate then passed the prolongation wrong by a vote of 21 to 14. The papers of the State for days kept standing in large capital letters the prolongation senators, in a column headed "Roll of Infamy." The battle was transferred to the House. Mr. A. T. Akerman had been but a short time before (some time in

June) appointed by President Grant, Attorney General of the United States in his cabinet. Col. Akerman, to his honor, rose above the partisan aspects of the case, and wrote a powerful and unanswerable opinion against prolongation, and took an emphatic view that the people should have the right of election in the fall. This document fell with resistless force upon the public. On the 11th of August, 1870, the vote was taken in the House, Chief Justice Brown working zealously against the wrong, and amid an unparalleled excitement, the measure was defeated by a vote of 63 yeas to 72 nays, 12 Republicans voting with the Democrats.

There never has prevailed at any time a deeper excitement than there was over this indefensible measure. The writer believes that if it had passed the House and been approved by Bullock, its enforcement would have been resisted and there would have been some sort of revolution. The feeling was intense. Congress and the Federal administration had condemned it. And Bulloek, not only in the very teeth of the public will in Georgia but in reckless defiance of the policy of his own party, was pressing this lawless and revolutionary scheme of holding over. The people would certainly have resisted its execution.

But the trouble was not by any means over with this defeat. The fell spirit of reconstruction assumed protean shapes. With an exhaustless invention it took new forms. Prolongation was not only scotched, but killed and buried, and an election was a certainty. The next effort of Gov. Bullock was to tinker that election into suitable shape to enable his party to control the State. The author of the scheme was reported to be Associate Justice McCay of the Supreme Court, and some ascribed it to Mr. Akerman. Be this as it may, it was one of the most extraordinary election plans ever devised, combining the grotesque tyranny of a bayonet machine with the more puzzling novelties of a metropolitan packing jugglery. This beautiful piece of partisan mischief was to last three days. This feature was borrowed from Reconstruction. It allowed for the transfer around of the frequent voter. The Governor, with the advice of the Senate, picked three managers and the Ordinary, two in each election precinct, and such appointees were subject to fine of $100 for failure to serve. This cumbrous and original device was obtained from no existing human experience in elections. No ballots could be refused, and no voter be challenged. This reversal of all civilized laws in elections was another original astonisher. Only one man at a time could be at the polls, and the others must stand off in a line fifteen feet distant, while stragglers must hustle away fifty feet. The

Sheriffs were put under the absolute control of the managers. These managers had plenary powers of arrest, and also could fine Sheriffs $100 for contempt of their imperial orders.

Reading the details of this odd, unprecedented, despotic scheme of an election, one can hardly get to the point of believing that any set of sane men under a Republican government could solemnly have voted by the forms of legislative sanction, a plot so preposterous, fantastic and tyrannous—a scheme marked by such blended absurdity and violation of principle. The battle was tough over this monstrosity. It excited derision and resentment. It was denounced as it deserved. It was stiffly discussed, and opposed with intense heat. Chief Justice Brown threw himself against it, as he did every gratuitous oppression, with his whole soul. But it was all unavailing, Democratic absenteeism and folly gave the victory to the Republicans.

A Democrat offered a resolution that a bare majority could suspend the rules. Before this it had taken a two-thirds majority to suspend the rules. Without suspension a considerable time must have elapsed before the bill could have been reached in its regular order. The Republicans immediately saw the value of this Democratic slip, as well as the Democratic leaders. The inconsiderate mover requested to withdraw his motion, but the Republican presiding officer refused, and there happening to be a Republican majority the new rule was voted through, and the election bill promptly taken up and passed, nine Democratic members being absent, while the majority was only four. This measure became the law in spite of all opposition and the popular censure.

On the 25th day of October, 1870, the House adjourned *sine die*, though the Senate continued in session until the 6th day of December, taking a recess until November, the 21st. The two houses had disagreed about adjourning, so a resolution was passed requesting the Governor to adjourn the House, on the 25th of October, and the Senate take a recess until 21st of November, to confirm appointments. Thus even in the simple matter of a final adjournment, this body did something out of the ordinary custom. No deliberative body has ever concluded its sittings in the State under such a deep public execration. The writer at the time in the *Constitution* published the following obituary, which expressed the popular feeling, and evinces the temper of that time, even among conservative men.

"IN MEMORIAM.

PLAYED OUT.
On the 25th day of October, 1870,
THE HOUSE OF REPRESENTATIVES
of the
General Assembly of Georgia for 1868, '69 and '70.
This body
Received its squelchment from the hands of
One RUFUS B. BULLOCK,
Its Master,
Whom it served 'not wisely but too well'
For the State's good.
Born of Despotism,
It was a true chip of the parent block.
IT
Will be forever luminous in the
PHOSPHORESCENCE OF ROTTENNESS.
It lived
But as the tool of partisan villainy,
And its disdained dissolution
Came most fittingly
Through the agency
Of the power that despised while using it,
And contemptuously killed it
The moment its subserviency
Ceased to be
Profitable.
Ransacked History
Can show no parallel to this Hybrid
For
CORRUPTION,
WEAKNESS,
EFFRONTERY,
IGNORANCE,
EVIL PLIANCY.
It did its best and utmost of wrong faithfully,
and what harm it left undone was
what it was not asked to do.
Criminal Speculators
Will mourn with tender grief
Its demise.
IT
Had one Idea,
That pervaded it ever and always;
And when the most of
Its members die,
The winds

Will sing it as their requiem,
And Time will make it glitteringly
Infamous,
That better than Honor, Country or God
They loved
NINE DOLLARS A DAY.
For months
It neglected business,
Doing the work of but a few days;
Aud then in a few days, it hustled
Through the work of months,
To the State's vast
Injury.
Its OBITUARY
Makes so heavy a draft on Language
For words of Wickedness
That it can never be thoroughly written.
It has emulated
Apes
In fantastic folly.
In ruinous aggression upon popular rights
It has been as destructive as the
DEVIL.
Its monument
Is
An incongruous heap
of
Broken Laws,
Débris of a shattered Constitution,
Outrages upon liberty and sacred law,
Shameless scoopings in the Public Treasury,
Wild havoc with every interest of the State,
Reckless trifling with the vital public credit,
And a rubbish pile of the
WORST PARTISAN DEVILTRY,
That
Political malignity aided by human
Imbecility
Could abort.
Its twin master,
The Senate,
Still holds its baneful sessions
To carry out Executive behests,
And
Worry an oppressed Commonwealth.
But
The task of this Memorial
Staggers the pen.

Humanity
Would be proud to erase the sad record
Of this body.
Failing, however, in this,
Human nature explains to posterity
The dread stigma
Of this Legislature's depravity
By one word—
'RADICAL!' "

This Legislature was in session 328 days, and cost the State nearly one million of dollars, the accurate amount being $979,055. Its sessions of 1870, alone, cost $526,891. It had at one time 84 clerks and attachés. The pay was put at $9 a day, and was drawn for twelve days of recess, as well as days of actual session, some of the Democrats, however, refusing to take per diem for the recess. The expelled negro members drew some $28,938 of pay for the time they did not serve. As the members holding their places drew per diem, there was thus a heavy amount of double pay made. And at every session after each recess, no matter how short, this thrifty body drew mileage. The mileage bill, during the year 1870 only, amounted to the moderate sum of $63,996.04, and the clerk hire $51,740. These figures make a startling record, but they are a consistent part of the picture of that unparalleled body. Their significance may be understood by comparison. Nine years of Democratic legislation, from 1853 to 1862, cost only $866,385, or less than this single Radical General Assembly

State aid was granted to twenty-eight railroads, aggregating the pledge of the State's liability for over thirty millions of dollars to more than 2,500 miles of road. A system of district courts was created, expensive and cumbrous. The new judicial circuits, the Albany, the Augusta, and the Allapaha, were created. A public school system was organized, and Gov. Bullock appointed Gen. J. R. Lewis as the State School Commissioner. The school fund, however, to the amount of $327,000, was used for other purposes, leaving the public schools unsupported, and the teachers to be paid by Gov. Smith's administration. The act authorizing the lease of the Western and Atlantic railroad, introduced by Dunlap Scott, was passed and approved, October 24, 1870, and was one of the few really meritorious measures enacted. It is under this act that the present excellent lease was made. There were a number of iniquitous measures to gobble the road, but they were thwarted.

The resolution for the purchase of the Kimball opera house was passed, August 19th, 1870, and approved, October 25th, 1870, and the

resolution for the purchase of the residence of John H. James, for an Executive mansion, was approved October 27, 1870. The first resolution accepted the proposition of the city of Atlanta to donate $130,000 of its bonds, ten acres of unoccupied land, and an Executive mansion, free of cost to the State for ten years, in lieu of the existing contract. The State was to buy the State House from Mr. Kimball, the Governor to issue seven per cent. bonds running 20 years, reserving enough bonds to secure the $54,500 advanced to Kimball by Bullock. The resolution does not mention the price to be paid by the State, but accepts Mr. Kimball's proposition, which was for $250,000 of State bonds.

A committee reporting upon the matter stated that the original hull of the building cost the Opera House company that put it up, $83,000. Kimball paid $32,000 for it, and expended $182,167.56 upon it. Add the $76,871 paid for heating, light and furniture, and the whole cost to Kimball was $291,038.56, of which Bullock illegally advanced him $54,500. Kimball received $130,000 of Atlanta city bonds, said to be worth then, $90,000, and $250,000 claimed worth only $225,000, making an actual cash value of $315,000, or a clear profit to Kimball of $23,961.44, at the depreciated price of the bonds. Estimating the bonds at their face value his profit was $88,961.44.

This whole State House matter has proven to be a source of mortification and trouble. Every step was marked by wrong. Gov. Bullock had, without authority, advanced $31,000 to Mr. Kimball in doing what the city of Atlanta should have done. Though rebuked by the legislative committee and the House, Gov. Bullock repeated his unauthorized act, and advanced $23,500 more to Kimball on the same account. When the sale was made there was a mortgage of $60,000 to the North-Western Life Insurance Company from Kimball, which was not paid, though the titles were made, and the full amount of purchase bonds paid and received. This mortgage the City council of Atlanta had to pay, and now holds. The Mayor of Atlanta, Wm. Ezzard, gave a certificate that $130,000 of city bonds were due on the Opera House, the bonds to be paid to the holder of the certificate. This certificate was untrue, in fact, as by an arrangement with Mr. Kimball, only $100,000 of bonds were to be paid. He had already received $30,000 of rent bonds, of which he had used $10,500, and at the purchase returned the balance, $19,500. This certificate, by written agreement, was turned over to Gov. Bullock to hold until the $60,000 mortgage was paid. The mortgage was not paid and the bonds were used by Mr. Kimball against the contract, and in neglect of the State's interest.

But this is not all. At the time the legislature passed the resolution of purchase there were only currency bonds, and these were therefore the consideration. At the greater value of gold securities, the State would pay fully $30,000 more in them than in currency bonds. Gov. Bullock first gave the currency bonds to Mr. Kimball, and then, afterwards, the gold bonds to be exchanged for the currency bonds. The exchange was never made, and thus, not only was the illegal payment of gold bonds made, but both sets of bonds were used by Mr. Kimball.

The $54,500 advanced to Mr. Kimball by Gov. Bullock was to be retained by Gov. Bullock, under the resolution of purchase of the legislature. This was not done. The committee of the legislature of 1872, E. F Hoge, S. A. McNiel, W H. Payne, C. J. Wellborn and John C. Nicholls report that the whole testimony touching the Opera House purchase they believe,

"Establishes, beyond doubt, not only the official corruption of Gov. Bullock, but his venality."

The legislature of 1872 appointed committees that made thorough investigations of Gov. Bullock's administration. These committees were composed of conservative, conscientious men. The investigations were conducted under oath, and were full. The statement of the facts of Gov. Bullock's rule are taken from the official reports.

The committee, whose report we have quoted about the Opera House, further state that Gov. Bullock permitted Mr. Kimball to borrow $255,000 in the name and upon the credit of the State, and to retain the money in his hands. They report $776,834.09, as Gov. Bullock's personal special account with the Georgia National Bank, in which were mingled State and private money of Bullock and Kimball. They further report that during Gov. Bullock's administration, he paid for Executive orders and proclamations published in forty-two papers the vast sum of $143,397. Proclamations of reward would be followed by proclamations of pardon of the same criminal after his capture and payment of the reward. Proclamations of reward were published after the capture of the criminals. The committee reported that $49,361.75 had been spent in lawyers' fees by Gov. Bullock. They further report 523 cases of pardon by Gov. Bullock, including 566 persons, many before conviction, and some cases of brutal murderers. Some of the Governor's political household were engaged in pardon brokerage. Among the pardons granted was one to V. A. Gaskell, given in anticipation of prosecution for violating section 4,402 of the Code of 1868,

he having paid the State Treasurer money to sign certain railroad bonds. The committee use this language:

"While making and encouraging complaints to the Federal government of countless crimes, many of them dependent for their heinousness upon the imagination of those who deemed it to their interest to magnify them, Gov. Bullock wrenched open, with the resistless hand of Executive prerogative, the prison doors which had been locked up by the LAW, and turned loose upon our people a horde of murderers, burglars and thieves."

The abuse of the pardon power was one of the strongest charges against Gov. Bullock. In the matter of the unauthorized endorsement of railroad bonds, Gov. Bullock, according to the committee, committed his gravest and largest breach of official trust. And they note the fact that all of these illegal endorsements were done in the interest of the roads of which Mr. Kimball was President. The Brunswick and Albany railroad was the cap-stone of these frauds. The enormous sum of $5,210,000 of State bonds and endorsements were given by Gov. Bullock to Mr. Kimball on bonds of this road. The law of State Aid required the road to be completed to get the State's endorsement, twenty miles at a time. The sum of $1,098,000 of bonds were issued illegally, for which there was no road completed; and even where the road was complete, the endorsement was in advance of the work.

The Bainbridge, Cuthbert and Columbus railroad bonds were endorsed by Gov. Bullock to the amount of $600,000, yet not one mile of road was ever completed by the laying down of cross-ties or iron, nor was one dollar ever invested in the road by private parties, as the Constitution required. The Cartersville and Van Wert railroad and the Cherokee railroad were the same railway, and enjoyed thus a double installment of bonds, one of $275,000 and the other of $300,000. When three and a half miles were completed the Governor, who inspected the road in person, accommodatingly gave Mr. Kimball his endorsement upon the whole road. The name of the road was changed to the Cherokee Road, and a new set of $300,000 of bonds was asked and obtained to take up the first set. The exchange was never made, and both sets of bonds used, as in the case of the Opera House bonds.

In the matter of State bonds the same spirit of disregard of law and reckless extravagance was shown. There was needed some $300,000 to pay the legislature, and Gov. Bullock issued two millions of currency bonds to raise the money by hypothecation. These bonds were issued under the Act of August 27, 1870. An act was passed September 15, 1870, authorizing the issue of gold quarterly bonds to take up the currency bonds and for other purposes. Gov. Bulloek issued three millions

of these bonds, largely in excess of any need. The gold bonds were put out, but a million and a half of the currency bonds were left uncanceled. Henry Clews had $800,000, and Russell Sage $530,000 of the dead currency securities. Mr. Kimball used $120,000 of them to get a loan of $50,000 from the firm of J. Boorman Johnston & Co., and $50,000 for a loan of $35,000 from the Fulton Bank of Brooklyn. Both Mr. Clews and Russell Sage, though receiving ample gold bonds to secure them, refused to give up their currency bonds. The committee says that it is forced to the conclusion that a portion of this money was raised for the private account of Mr. Kimball.

Of the three million gold bonds, $1,750,000 were placed with Clews; $500,000 with Russell Sage to secure a loan of $375,000; $300,000 with the Fourth National Bank; A. L. Whiton $100,000; $250,000 to H. I. Kimball on the Opera House, and $100,000 to J. H. James for the Executive mansion. Mr. Clews presented his account. He sold $1,650,000 of gold bonds for $1,432,230. He had claims against the State of $1,489,284.04, of which $41,061.78 was interest, and $92,995.30 commissions, making the handsome interest and commission account of $134,057.08 for handling less than a million and a half dollars. Of this account, $609,192.78 was paid on notes and drafts of Gov. Bullock and Foster Blodgett in violation of law, and $377,000 was paid on account of the State Road. The sum of $10,687 was paid by Clews to newspapers. Add to the enormous commissions the loss of $211,500 upon the face value of these bonds, and we see the State out $350,000 through Clews.

Gov. Jenkins had negotiated three millions of bonds at a cost of $1,110, and with an advertising bill of only $931; selling our securities at ninety-five cents. When Gov. Jenkins did this, gold was $2 premium, while when Gov. Bullock was mismanaging our finances, it was $1.12 premium.

It would require a volume to detail the particulars of the mismanagement of Gov. Bullock's financial administration. It would not be an exaggeration to say, that there was hardly anything about it right. There was one unbroken continuation of violations of law and bold extravagance. Treasurer Angier and the Atlanta *Constitution* fought inch by inch this financial misgovernment. The bulk of the irregularities did not come out until the long and exhaustive legislative investigation evolved them, but there was a great deal that was discovered and opposed, and clearly ventilated.

There is one subject that has not been touched, that was the great

unapproachable sum of all villainies. The State road, for 1870, furnished a companion pretty nearly to the famous Yazoo fraud. Maj. Campbell Wallace had taken the road under Gov. Jenkins, and made a brilliant administration. He regenerated it with a masterly skill. It was in ruin. He restored it. His net earnings for the year 1867 were $330,202. Col. E. Hulburt ran the road in 1869, commencing August, 1868, doing a fine business, and making regular payments into the State treasury, until the last month or two, when he was hampered. The treasurer of the road was William W Clayton, a gentleman of large business experience and shining integrity. In July, 1869, against Hulburt's earnest protest, Mr. Clayton was removed, and Foster Blodgett made treasurer. Hulburt was a professional railroader, and took pride in making a good administration, and he remonstrated that Blodgett was "not regarded by the people of Georgia as a man of integrity," and he believed him to be "an unprincipled man."

On the first day of January, 1870, Hulburt was removed, and Foster Blodgett appointed superintendent of the State road, holding the position until the 27th day of December, 1870, lacking a few days of making a year. In the annals of railroading there has been no such travesty of railroad management. Blodgett knew nothing of railway superintendency. Add to this ignorance the ingenious and wholesale utilization of the road as a pure partisan machine, and, as can well be conceived, the circumstances were perfect for a stupendous botch of administration. But the reality surpasses any possible ideal of perverted handling. Results will best describe the mismanagement.

The road was in fine order. The receipts during Blodgett's administration were, $1,464,737, out of which $45,000 only was paid into the State Treasury. Hulburt turned over to Blodgett, $109,131, making $1,573,868 that Blodgett had during the year. This amount, except the $45,000, was spent during the twelve months. Just before Blodgett's superintendency ceased, he represented to the legislature that the road was in such a condition as to need half a million of repairs. And he left a legacy of some $600,000 of debt in round numbers, that was afterwards paid by the State. This made the incredible aggregate of over *two millions* of dollars spent in one year, with the road so run down as to need another half million to repair it properly.

The details of this vast mismanagement are picturesque. Unauthorized offices were created. The road was packed with political employés, and made the refuge for party tramps. In 1869 the party roll showed 743 men. Under Blodgett there were 1,442 names, or an

increase of 699 useless officers fed at the public expense for partisan purposes. The increased pay roll was $178,574 over 1869. Many men were paid who rendered no service whatever, others were members of the legislature, and others in other business wholly incompatible with any work on the road. Hundreds of thousands of dollars of legitimate expenses were left unpaid. The investigating committee of the legislature of 1872, reported $499,903 as due from plundering officers and other sources. Attachment suits for $366,274 were brought in Fulton Superior Court. And thirty-three indictments were found for various crimes, including two against Gov. Bullock, one for cheating and swindling, and the other for larceny after trust.

W L. Clark made a minority report that was a very clever piece of writing. It was a semi-satirical, humorous and shrewd presentation of the matter from a Republican stand-point. He frankly owned that a great number of petty frauds were clearly proven. One of the leading frauds was the Tennessee Car Company swindle. Mr. E. N. Kimball was the manager of the Car company, and made contracts and received pay for some fifty-six box cars, to the amount of $42,500. No such cars were ever delivered, and Gov. Bullock, Foster Blodgett and E. N. Kimball were indicted for cheating and swindling. This was one of the cases which was clearly made, but Gov Bullock was not proven connected with it, and was therefore acquitted. Mr. Clark surmised that the parties did not intend to defraud the state, but their enterprises miscarried, money was needed to bridge over a chasm, and this questionable plan was devised for raising it.

The main point of this sharp-witted minority report of Mr. Clark was the showing that Democrats as well as Republicans had shared in the robberies. The figures were ingeniously arranged and interesting. The Republican pickings in the matter of law fees were $15,480, and the Democratic $48,247. The printing given to Republican journals in 1870 were $19,103, and to Democratic papers, $32,964. Of $1,586,188 that he said was paid, $635,018 was traceable to Republicans, and $809,586 to Democrats. Of clearly proven fraud, however, he traced $113,442 to Republicans, and $50,763 to Democrats. Clark claimed for the Republican administration that it gave liberal rates, and finally took the road out of politics. But he candidly owned this in regard to what he calls the "record of crime and shame."

"The examination has conclusively shown that the late superintendent was a bad man, and utterly unworthy of the trust confided to him by the Governor, and of the confidence reposed in him by the Republicans of the State. He not only defrauded the

people of their money, but the demoralization of his example was felt throughout the social and business and political circles in which he moved."

This is strong opinion to come from a Republican source. It may not be uninteresting to mention some of the specific matters of varied fraud that marked this redeemless year of railway misrule. Receipts for $7,296 of lard oil were forged in the name of A. J. Orme. A. L. Harris was paid $2,760 for a worthless railway switch. Receipts for $1,850 in the name of L. B. Langford were forged. Large numbers of Tennessee negroes were carried free down to Atlanta to vote. Accounts for $5,000 for boarding hands were raised to $8,923. E. S. Nixon, local agent at Chattanooga, caused a freight blockade, by giving preference to his own freight bought on speculation. Bogus names were placed on the pay roll and money drawn for them. Col. Hulburt testified that Gov. Bullock wanted him to advance money from the State Road Treasury, to purchase the *New Era* newspaper. And finally, in 1870, $7,000 of money for this purpose was raised on State road fraudulent passed bills. City Directories, for 1870, to the amount of $260 were bought. During the year 1870, a committee of the Bullock legislature investigated the road, and the bill for liquor, cigars and music for this festive set of inquirers was only $1,650, including some fifty gallons of whisky, fifteen gallons of sherry, 7,100 cigars and fifty-seven dozen lemons.

These unique specimens of the minor frauds will afford some conception of the ingenuity of grotesque swindling that continuously marked this unequaled year of State railroad mismanagement in the wonderful years of reconstruction. Several humorous incidents will gracefully cap this rich chronicle. Mr. Blodgett stated with an inimitable humor that he took charge of the road to manage its "public and political policy." This was only surpassed in its dry wit by the response of the Auditor, N. P Hotchkiss, who made a reply that became ludicrously historic to the question as to how he managed to save up twenty or thirty thousand dollars in a year or two, out of a two or three thousand dollars salary. Said this thrifty person—"by the exercise of the most rigid economy."

CHAPTER XLI.

THE DOWNFALL OF THE RECONSTRUCTION REGIME AND BULLOCK'S RESIGNATION AND FLIGHT.

Bullock's $25,000 Libel Suit against the Atlanta *Constitution*.—That Paper refuses Bullock's Proclamation.—State Democratic Convention.—The Democratic Executive Committee.—Linton Stepheus' Difference with the Committee.—The Election.—A Democratic Legislature.—Congressmen.—Howell Cobb's Death.—Chief Justice Brown's Noble Eulogy.—Joe Brown and Ben Hill.—Hill's Letter of Submission to the Amendments.—The Harsh Ordeal of Public Odium he Underwent.—Touching Utterances.—The Lease of the State Road.—Chief Justice Brown Resigns.—O. A. Lochrane as Chief Justice.—The Kimball House.—An Historic Landmark of Reconstruction.—The Desperate Situation of the Bullock Régime.—Gathering Troubles.—Foster Blodgett Fails to get in as United States Senator.—Senator Joshua Hill.—The Greene County Presentments and McWhorter.—The Ku Klux Investigation.—Seeking the State Crucifixion.—Impending Crash.—The Brunswick and Albany Railroad Tumbles.—Gov. Bullock's Resignation and Flight.—Seven Days' Preparation.—Benjamin Conley Sworn in as Governor.—Gov. Bullock's Aspersion of the Legislature.—Lively Comment on the Hegira.—Gen. Toombs.—"No Bleeding Martyr, but a Spavined Rogue."—Bullock's Criminal Prosecution.—Requisition for Bullock.—His Arrest and Final Acquittal.—Review of his Administration.

A MATTER much commented upon at the time was a libel suit for $25,000, brought by Gov. Bullock against the Atlanta *Constitution*, to check that paper, if possible, in its zealous warfare upon the wrongs of his administration. But the suit simply evoked derision, and stimulated the paper to greater activity of opposition. This journal also refused to publish Gov. Bullock's proclamations, denouncing their extravagance. This course brought a warm fusillade from a large portion of the Democratic press. Not until Gov. Smith was elected as the Executive, did the *Constitution* take one dollar of any sort of patronage from the administration. This course gave that journal a strong hold upon the affections and confidence of the people.

On the 17th day of August, 1870, a Democratic convention was held in Atlanta. Gen. A. H. Colquitt was made President, and on the same day he was chosen President of the State Agricultural Society. This two-fold honor, voluntarily tendered by two representative bodies, the farmers and public leaders of the State, was a public tribute of which

any man could be proud, and evinced the popular appreciation of this worthy son of an illustrious sire.

The convention had 300 delegates from 109 counties. Among the members were Thomas Hardeman, Jr., W S. Holt, A. O. Bacon, S. A. Corker, P Thweatt, Wm. M. Browne, J. S. Boynton, C. Peeples, D. Scott, R. E. Lester, E. F. Hoge, J. Collier, N. Tift, R. N. Ely, L. N. Trammell, Geo. Barnes, J. R. Randall, A. R. Wright, A. H. Colquitt, W. A. Hawkins, Linton Stephens, W M. Reese, A. R. Lamar, J. L. Seward, A. R. Lawton and J. Hartridge. Among these were two young men of promise. E. F. Hoge of Atlanta has since been in the General Assembly, and shown himself to be a person of substantial ability and decided character. James R. Randall is one of our genuine poets, who, as the author of "My Maryland," has won an enduring fame. That poem will last while the English language is spoken. Mr. Randall has been one of our most gifted and scholarly newspaper men, a writer of singular and vivid power, and at present, as one of the editors of the Augusta *Chronicle and Constitutionalist*, one of the ornaments of Georgia journalism.

The resolutions of the convention were drawn by Linton Stephens, pledging the Democracy to stand on the unchangeable principles of a constitutional government, and to overthrow a corrupt state administration. No speeches were made, greatly to the disappointment of the Republicans, who hoped for some indiscreet utterance for political capital. An Executive Committee was appointed of L. Stephens, J. Hartridge, J. T. Clarke, M. J. Crawford, J. Jackson, A. Reese, W M. Browne, and R. A. Alston.

Linton Stephens was elected Chairman, and R. A. Alston, Secretary. Judge Stephens accepted the chairmanship in a ringing letter, in which while he acquiesced in the prevalent idea that none but eligible men should run for State offices, he took the ground that for Congress some ineligible candidates should be nominated and elected to make an issue. This letter struck the Democratic leaders of the State unfavorably, and a hot discussion was precipitated, the majority of the press disagreeing with Judge Stephens. In a few days Judge Stephens published an eloquent and masterly letter defending his views, but refused the chairmanship because he understood there was not a quorum present when he was chosen chairman. Col. Clifford Anderson was then made Chairman.

The election came off, and in spite of the extraordinary facilities for the administration to control it, the result was a sweeping Democratic

victory. The wrongs of Bullock's rule had been so strongly presented and pressed, that in many cases Republican candidates for the Legislature in the white belt were compelled to repudiate the administration. The following congressmen were elected: D. M. Du Bose, Thos. J. Speer, P M. B. Young, A. T. McIntyre, J. S. Bigby, W. P. Price and Nelson Tift. But R. H. Whiteley was seated in Tift's place. The only Democrats of this delegation were Young, Price, Du Bose and McIntyre.

The year 1870 was prolific in startling events. Gen. Howell Cobb fell dead suddenly in New York from a stroke of apoplexy. His death shocked the State. Perhaps the most striking tribute paid to him was by Chief Justice Joseph E. Brown in the Supreme Court. The eulogy upon the distinguished deceased, by the presiding officer of this august tribunal, was a noble attestation to the character and greatness of Gen. Cobb, and it was especially touching in view of the strong animadversions made by the dead in his life upon the eulogist. Referring tenderly to the harsh conflicts of sentiment, Judge Brown added these graceful and honoring words:

"All these differences, which grew out of conflicting opinions on public policy, in times of high political excitement, and producing alienation and estrangement, are evanescent and soon pass away. In the grave they are forgotten. And when under Divine Providence, one party precedes the other, for a little while to that habitation, which awaits all the living, they are never remembered and cherished by any honorable and generous survivor."

Chief Justice Brown had made large advances in regaining the esteem of the public so rudely torn from him. His condemnation of Bullock's schemes had shown the people that his position of acquiescence in reconstruction was conscientiously taken for the public good as he saw it, and that under an overwhelming provocation of unmerited and scathing public odium he had stood firm against the unnecessary and gratuitous indignities his unwelcome political allies had sought to put upon the State. His great ability and dignity upon the Bench, and lustrous judicial integrity, had made him an ornament to the State's judiciary. The popular passion had begun to subside, and men were learning to discriminate between the reluctant Republicanism born of sincere, public spirit, and the partisanism begat of venal ambition and looking to unlicensed power and an unctuous plunder.

It was a curious coincidence that while this distinguished and unsurpassable Georgian was emerging from his baptism of obloquy, another brilliant citizen, who had been foremost in the unsparing excoriation of Chief Justice Brown, was himself suffering the same political crucifixion

for the same kind of public opinion, that had brought Brown into censure. Hon. Benjamin H. Hill issued an address on the 8th of December, 1870, to the people of Georgia, in which he took ground that the abhorred amendments were in fact, and would be held in law, fixed parts of the national Constitution. Usurpation, the most glaring, succeeding, became law. It may have been criminal—was criminal—to aid in committing the usurpation; it is crime itself to break the law. His conclusion was, that we had a new National Constitution, with new and enlarged powers of government, establishing new and different relations between the General and State governments. And he urged the duty upon the Southern people to obey the new Constitution, to protect negro suffrage, and to cease quarreling over the divisions on the principles and events which led to the existing condition.

This address fell upon the State like a clap of thunder on a clear day. And for years Mr. Hill walked through the valley of shadows. He was lampooned, abused, and howled at. He was called Radical; accused of selling out to the Republicans; of changing politics with a view to election to the Senate, by a Republican legislature; and a thousand other hard criminations. For years he fought against public odium as Gov. Brown had done. It looked as if he was politically shelved. His best friends turned upon him. His ordeal was not altogether as severe as Gov Brown's, but it was a harsh one, and his recovery was a striking instance of political vitality. He made a public speech in February, 1872, that contained some peculiarly pathetic sentences. Said he:

"I freely state that my political life is an enigma."

He added after in a burst of defiance:

"I had rather be the humblest of those who would save you, and perish amid your curses, than be the chiefest architect of your ruin, and live forever the unworthy recipient of your deluded huzzas."

There is no stranger and more suggestive instance of the instability of human passion and the evanescence of human prejudice than the savagery of proscription endured by these two remarkable men, rounded as it has been by an elevation so august, in a time so short. The coincidence continues markedly, in the fact, that in every particular their experiences have been identical, and that so antagonistic once, their accord now is complete—a conjunction of absolute diversities. It was a wonderful triumph for Brown to see his old foeman with him. But it was only the beginning of a broader political corroboration in a practical point of view.

On the 26th day of October, 1870, Gov. Bullock advertised the Western and Atlantic railroad for lease under the lease act. On the 27th of December, 1870, the road was leased to the present company at a rental of $25,000 per month for twenty years, the company giving a bond of eight millions of dollars with the Georgia, Central, South Western, Macon and Western, Atlanta and West Point, Macon and Brunswick, Brunswick and Albany, Nashville and Chattanooga, and St. Louis and Iron Mountain Railroads for security. Gov Brown was elected President of the company, having resigned his position as Chief Justice of the Supreme Court before he made a bid for the lease, and having served a little over two years, renouncing ten years of his term. His resignation testifies conclusively to the fact that he did not desire office, and that place was not the inspiration of his political attitude upon reconstruction.

As a Supreme Court Justice, Judge Brown maintained to the fullest extent his admittedly great abilities. A perusal of his decisions, covering every topic of jurisprudence and every principle of civil and criminal law, shows careful discrimination, profound discernment of the spirit of laws, wide and accurate legal learning, and the very perfection of a judicial temper, impartial, equipoised and punctilious. The truth is that Chief Justice Brown was the very paragon of a Judge, and adorned the ermine as much as any jurist that has ever sat in the Supreme tribunal of the State. He possessed an exceptional blending of a placid and untiring patience with fixedness of decision and luminous legal acumen.

Gov. Bullock appointed as Chief Justice in Gov. Brown's place, until the meeting of the General Assembly in Nov., 1871, Judge O. A. Lochrane. This gentleman had sustained himself upon the Superior Court Bench with rare success. Appointed by Gov. Brown as Judge of the Macon circuit at the beginning of the war, and taking his seat under heavy and open opposition, due to a certain jovial vein in his versatile composition, he had handled a number of grave and novel questions with originality and undoubted legal power. He had upheld both the dignity and ability of the bench. Some attorneys at Twiggs court agreed to carry their case by consent to the Supreme Court to avoid his jurisdiction. With placid poise he marked and announced the case dismissed for want of prosecution, and had the humbled lawyers pleading for the restoration of their case to the docket with much earnest compliment to his Honor. He enforced the writ of Habeas Corpus against Confederate suspension; he decided the conscript law unconstitutional; he refused

Faithfully yours

C. A. Lochrane

to recognize the government of England that did not recognize the Confederacy; he held that the State of Georgia had the right to a writ of possession for arms loaned the Confederacy, and called on Gov. Brown for means to enforce his order. These rulings indicate legal ability and inflexible decision.

After the war he resigned, and moved to Atlanta. He was appointed Judge of the Atlanta Circuit, and served from August, 1869, to August, 1870, when he resigned, to be appointed Chief Justice of the Supreme Court in January, 1871.

Among the historic landmarks of the reconstruction is that magnificent building and most valuable instrument of Atlanta progress, the Kimball House. It was a superb hostelrie, far ahead of the growth of Atlanta. It was begun in April and finished on the 17th of October, and its construction was a marvel of rapid work. It cost over $600,000, and the agent of Henry Clews, Mr. Crosby, told the writer that $300,000 of the money advanced on State endorsed bonds to build the Brunswick and Albany railroad had been traced into this hotel. Its history is one of vicissitudes, litigation and strange changes of ownership.

The year 1871 was another eventful twelve months of Georgia history, winding up with a most dramatic surprise. The absolutism of Radical rule had seen its culmination when Congress passed the law of July 15th, 1870, for the admission of Georgia, and when under it a Democratic legislature was elected in December, 1870. It must be held in thought, in order to comprehend the situation and the starting denouement, that the Republican régime had before it the certainty of a full Democratic inquiry into matters. There had been enough open acts of wrong and unlawful extravagance to justify grave apprehensions of trouble for their authors. As was afterwards developed, there were worse derelictions concealed. From this time on the Bullock administration was in a fearful strain to secure the success of its projects, and in final triumph make temporary illegalities forgotten or justified. But it was an uphill business. Kimball was carrying more than mortal man could bear. He was President of seven railroads, and the master of a monster hotel. The bonds were poured out so freely as to overstock the market, and the load was the heavier that dimly discerned irregularities were battered at by the opposition, until the enterprises staggered under the growing burden of discredit.

The situation daily became more desperate. Ruin threatened every project. In the pitiless stress new illegalities were resorted to, that failed to remedy the perils. Bullock stood gamely to his friend Kim-

ball. Illegal endorsements were given in succession. And yet all was unavailing. Angier in the Treasury prompted the clue to suspicious matters, the Atlanta *Constitution* probed and ventilated them, and the Democratic press, both in and out of the State, kept up a lively fusillade and publication. And so the final crash was steadily focalizing.

Foster Blodgett went to Washington, and tried to get admitted as United States Senator, on the 4th of March, 1871. The effort was vain. His record was ventilated fully. Senator Thurman made an unanswerable speech against his admission, taking the ground that he was elected by a Legislature that had no right to choose a Senator for the term Blodgett claimed. Senator Joshua Hill made a rare speech against his admission. It was a document full of fearful punishment for Blodgett and his sponsors. It was witty, satirical, caustic and argumentative. Coming from a Republican source, it was irresistibly effective. It alike pilloried not only Mr. Blodgett but the Legislature that elected him. A Republican delegation from Georgia, consisting of Conley, Harris, Tweedy, D. D. Snyder, and A. D. Rockafellow, went on to Congress to press Blodgett's admission for the reason that "it was for the welfare of the Republican party." Congress adjourned without seating Blodgett.

Senator Hill introduced two measures in April, 1871, that have excited great interest. One was the bill for the survey of the Atlantic and Great Western Canal, and the other a pet project of Col. W P Price to convey the United States mint building at Dahlonega, Ga., to the trustees of the North Georgia Agricultural College—an institution that has done a great amount of good, and is one of the most valuable educational seminaries in the State. Gen. Young also introduced in the House, a resolution for a post office building. We now have it.

Perhaps nothing could better show the downward drift of Gov. Bullock's administration in the popular opinion, than certain presentments of the Grand Jury of Greene county, in March, 1871, of which ex-Speaker McWhorter was a member of the one, and signer of the other, censuring Bullock's "wasteful expenditures of the public money and his wicked and heartless abuse of the public credit." Nor was Bullock without the leverage to help him, given by the incessant Republican agitation of the "Southern outrage" crusade. In Congress a committee was engaged in perpetual investigation of Ku Klux enormities. This was the stock in trade of extreme Radicalism. It was a striking evidence of Bullock's waning influence with the national leaders of his own party, that his contributions to this wretched campaign

of calumny availed him nothing. He issued a detestable proclamation of rewards for an imaginary batch of hideous Ku Klux outrages. The slanderous pronunciamento under the Executive impress was advertised broadcast at the public expense, disseminating its envenomed poison everywhere. In July, 1871, he wrote a letter to Congressman Scott, on the condition of Georgia, rendering a bad account of the afflicted old commonwealth, that had fallen into the cruel hands of political Philistines. Gen. Gordon went before the Ku Klux committee, and endeavored to neutralize the mischief.

It was an appalling criminality for men with the prestige of authority giving them weight, and with every incentive of State patriotism to conserve the interest and foster the fame of Georgia, deliberately seeking to re-crucify the State, their own mother. But the power to harm was rapidly diminishing. The reign of evil was passing away. The Bullock rule was swiftly drawing to a tragic close. There came out whispers of Kimball's embarrassment. Gov. Bullock went away, and was gone nearly three months. Finally the irrepressible Angier gave notice that he would pay no warrants not signed by a resident Governor, as the law requires. The State road mismanagement was giving out a noisome odor. The Treasurer of the road was arrested. A committee of citizens, Judge Hammock, Dr. Redwine and Judge Collier were appointed to examine the State road books. A large array of able counsel, led by Gen. Toombs, volunteered in the investigation.

The first note of an impending general crash came in the disintegration of the huge enterprise known as the Brunswick and Albany railroad, the recipient of a double State aid, and an indistinguishable compound of equity and fraud. Claims poured upon it, which were not met. The Superintendent, J. A. Burns, dropped it and left. The road was seized by the Governor. This was after the middle of October. Every one felt that the end was approaching. The radical edifice began to shiver. The portents were unmistakable. The conclusion was at hand. But it must be confessed the finale took an unexpected shape. When it was announced that Gov. Bullock had fled the State, leaving his resignation, it was like an overwhelming electric shock. The surprise over, one flashing note of universal rejoicing resounded over the State.

The minutes of the Executive Department, show that on the 23rd of October, 1871, the resignation was written and reads as follows:

"EXECUTIVE DEPARTMENT,
ATLANTA, GEORGIA, October 23, 1871.

"TO WHOM IT MAY CONCERN—GREETING:

"Be it known, that good and sufficient reasons, me thereunto moving, I do hereby resign the office of Governor of this State, to take effect on Monday next, the 30th day of October, in the year of our Lord, 1871, and on that day and date, deliver over to the Hon. Benjamin Conley, President of the Senate, the Executive powers of the Government, until the election and qualification of a Governor, in the mode prescribed by paragraph IV., Article IV., Section 1 of the Constitution of this State. And the Secretary of the Executive Department will enter the foregoing of record in the Executive Minutes, and place the Capitol building, Executive records, Documents, Seals, and Mansion in the control of the said Benjamin Conley, upon his taking the oath of office prescribed by Paragraph V., Section I., Article IV of the Constitution.

"RUFUS B. BULLOCK, Governor."

On the 23rd of October, 1871, the Executive Minutes show that R. H. Atkinson, Secretary of the Executive Department, says that he transmitted, by direction of Governor Bullock, this resignation to the Hon. D. G. Cotting, Secretary of State, to be filed in his office. On the 30th day of October, 1871, at 3 o'clock P. M., *seven* days after the resignation, and after Mr. Atkinson's claimed transmission of the same to Mr. Cotting, the Executive Minutes show that Mr. Cotting thus addressed Hon. Benjamin Conley, President of the Senate:

"SIR:—I have *at this moment* been placed in possession of the enclosed communication, from the Hon. R. B. Bullock, being his resignation of the office of Governor of the State of Georgia, said communication being transmitted to me through the hands of Col. R. H. Atkinson, Secretary of the Executive Department.

"I hereby give you notice to repair to the Capitol, in Atlanta, within ten days of the date hereof, and take the oath of office, as Governor, before any Judge of the Supreme, or Judge of the Superior Court, otherwise it will be my duty to consider you as having resigned, and I shall proceed to inform the Speaker of the House of Representatives."

The Executive Minutes show that on the same day, the Hon. Benjamin Conley, President of the Senate, took the oath of office, and was installed as Governor, by Chief Justice O. A. Lochrane.

Though the resignation was seven days made before announcement, no whisper of it got out. It was managed with wonderful secrecy, and when it was given to the public, Gov. Bullock was out of the State, and Mr. Conley acting Governor. The Washington *Patriot* stated that Gov. Bullock admitted to a United States Senator, that he did not like the course politics were taking, and he feared impeachment. There is no doubt that Gov. Bullock apprehended impeachment, and it was a

subtle stroke to resign, before the new Legislature met, and not only escape this, but devolve the State government upon Mr. Conley, instead of the President of the new Senate.

Gov. Bullock wrote a letter from New York giving his reasons for resignation, in which he took a parting and malicious blow at the State. He stated that a majority of the House of Representatives had pledged themselves to vote for articles of impeachment against him without investigation, and that the Senate had determined to unseat a sufficient number of Republican Senators to secure his conviction without regard to the truth and validity of the charges. He also charged that the people of Georgia had recently denounced or ignored the Constitution of the United States. This letter created a deep indignation against the fugitive, and the General Assembly by solemn resolution branded it as false and defamatory.

The resignation of Gov. Bullock evoked earnest attention over the whole country. The comment was uniformly unfavorable, and some of it stinging. The New York *World* said he was

"No bleeding martyr, but a spavined rogue."

The Boston *Post* declared that he

"Preferred speedy slaughter by his own act, to the more painful fate—a living Barbecue in fact."

William Markham, one of the most pronounced Republicans in Georgia, was reported in the press to have said of Bullock:

"His whole administration has been in violation of every principle of honor, and disgraceful to the Republican party, and regardless of the interest of the people of the State."

Gen. Toombs expressed, perhaps, the justest judgment upon Gov. Bullock's administration in these words:

"He certainly deserves to be impeached. He has committed a hundred offenses, any one of which is sufficient to convict him. The trouble with the fellow is that he don't know half the time when he does wrong. He does not understand the law nor the duties of his position."

In 1872, when Gov. Smith was the Executive, and the bond investigating committee discovered that the City bonds of Atlanta pledged for the payment of the $60,000 mortgage upon the Opera House had been abstracted from the State, leaving the mortgage unpaid, a warrant drawn by Gen. Toombs charging Gov. Bullock with the larceny of these bonds was issued, and upon it a Requisition was made upon Governor Hoffman of New York for Gov. Bullock, Col. John B. Cumming being the State's agent. Gov. Hoffman objected to the affidavit. Gen.

Toombs drew another one, very lengthy and technical, and a new Requisition was issued, Col. Cumming reaching Albany Saturday, March 30, 1872. Gov. Hoffman still objected. Gov. Smith sent a tart telegraph, expressing the opinion that Gov. Hoffman was quibbling. On Tuesday Gov. Hoffman issued his warrant for Gov. Bullock's arrest, and Col. Cumming proceeded to Albion, New York, to find his game gone, and a broken down horse in the stable. From this time on he was hiding out, avoiding arrest.

The Atlanta *Constitution* had this editorial written by the writer at that time, that expressed the sentiment of the good people of Georgia:

"The career of Bullock is a fine instance of extraordinary alternations of human vicissitude.

"Bubbled to the surface amid the convulsions of political disorder and social turmoil, he rode for a while on a despotic pre-eminence as a stranger Executive of the proud State of Georgia. The absolute supremacy of his power and his cool disdain of trammels for three years constitute a picture of bold, evil rule not often seen, and admirable in its malicious and tyrannical consistency. The man made and unmade Legislatures, toyed with the State's sacred sovereignty like a worthless bauble, swayed the judiciary, and scattered the people's money with the lavish liberality of a prince, and the reckless caprice of a munificent madman.

"He preserved his gorgeous deportment amid it all, arrayed like a monarch, imposing in presence, smiling and affable, the princely, imperturbable and benignant patron of thieves and adventurers.

"His abdication came like a lightning stroke in the very zenith of his power. Down the metallic deity fell with a long descent and a dull thud. Governors have played the game of justice over the highcockolorum fugitive, and to-day sees him a miserable skulker from the offended law; and an outcast from home, friends, society and government."

In 1876, Gov. Smith made a sueeessful attempt to arrest Gov. Bullock, sending Col. O. P Fitzsimmons, recent United States Marshal of Georgia. Gov. Bullock gave bail easily. The case lingered for a year or two in the courts. Gen. L. J. Gartrell was his leading counsel. On the final trial, the proof connecting him criminally with the frauds on the State was not sufficient, and he was acquitted.

In estimating Gov. Bullock's administration, the time has hardly come to do it exact justice. It has been too recent. It was an eventful one all through. It was rancorous, turbulent, revolutionary It was in antagonism to the good people of the State. It was frightfully bad. And yet the times were conducive to much of the wrong. Bullock was warped by provocation, by necessity, by desperate stress, by unprincipled connections, by horribly evil counsel. He was naturally a clever, amiable, correctly disposed person. He started wrong and never got right.

He had to contend with an opposition that was sensitive and soured, that had been harried and was resentful, whose chivalry and honor were both inflamed almost to madness by believed outrage, that he justified. He had neither tact, statesmanship nor congeniality with the people of Georgia. He represented a party, composed mainly of newly enfranchised negroes and foreign adventurers, that pressed an odious public policy. He was the agent of a disagreeable mission. He not only did not lighten its severities, but he increased them. At best, he must have evoked dissatisfaction. He did the worst that could have been done, and he drew execration. He resented it, and the conflict between him and the people became reckless and unsparing on both sides.

It was a desperate conception that he carried through, to uptear accomplished reconstruction, because his power was not as absolute as he wished. His very success in the doing of this unspeakable wrong, made the way easy to every species of Executive dereliction, since Congress, in the caprices of reconstruction tyranny, seemed willing to commit any enormity and approve any crime at the behest of its loyal Southern dynasties. Had the certainty of responsibility been sure, many risks of transcended authority would not have been taken.

But be the temptation what it may, Gov. Bullock's term was continuously worthy of censure. It grew in its criminality. It was unbrokenly evil. Every step was marked by personal scheming, disregard of natural feeling, wasteful extravagance, violations of law and wanton attempts to degrade the State's autonomy. These are hard words. But they are coldly deserved. The simple, undeniable official facts justify them. And not the least censurable feature of this painful episode of evil, was that it was successfully achieved by the vile weapon of State defamation under the hypocritical pretext of the public interest.

Honest men enough at the North were made to believe that the Christian people of Georgia were such a set of piratical law-breakers and brutal conspirators against legitimate Federal authority, as to demand the very dissolution of government, and the substitution of an armed anarchy for the protection of society and obedience to Federal power. The whole rule of Gov. Bullock, in the writer's judgment, was crime—against the State, the Nation, and humanity. That rule fitly ended. It went out in disgrace and amid public rejoicing. And it will live in the cool, clear future as the darkest era of Georgia history.

CHAPTER XLII.

THE FINAL ACT OF JOYOUS STATE REDEMPTION.

The Legislature of 1871.—An able Body.—Its vast Work.—Its Personelle.—L. N. Trammell.—James M. Smith.—Prolongation Again.—Gov. Conley and Bullock's Term.—Democratic Moderation.—President Trammell's Patriotic Sacrifice.—Election.—Conley's Term.—Its Good and Bad.—Democratic Convention.—James M. Smith Nominated and Elected Governor.—The Republican Perplexity.—Gov. Smith's Inauguration—The Public Joy.—Foreign Comment.—The New York *World* on Georgia.—Obituary on Georgia Radicalism from the Atlanta *Constitution*.—Ex-Gov. C. J. Jenkins' Superb Letter.—He Restores the Great Seal of the State.—The Dark Period of Reconstruction Rule.—The Fateful Decade from Secession to Complete Restoration.—An Era of Red Terror and Black Misrule.—The Proud Spectacle of Regenerated Georgia.

THE Legislature convened on the first day of November, 1871, two days after President Benjamin Conley, of the Senate, took Bullock's place as Governor. This body was an unusually able one, and it assembled under circumstances of unspeakably grave public import. Its work was incalculably important, and while it made some mistakes, its general action was able and patriotic. Twenty-two of the old Senators held over and twenty-two new ones were elected. Among the new ones were some very strong men. In fact, nearly every one of the new Senators was a public man of recognized power in popular leadership. Among them were R. E. Lester, John C. Nichols, L. C. Hoyle, B. B. Hinton, R. Jones, Charles C. Kibbee, T. J. Simmons, E. Steadman, William M. Reese, W S. Erwin, M. V Estes, George Hillyer, James R. Brown, and L. N. Trammell.

T. J. Simmons has been President of the Senate, and is now Judge of the Macon Circuit. A tall, fine-looking gentleman with heavy blonde whiskers, a most genial person, Judge Simmons has been a valuable and successful public man. He has never been beaten. Judge William Reese was an ornament to the Bench and an incomparable legislator. Clear, positive, practical, honest, he has had great weight in every deliberative body in which he has served. George Hillyer is now Judge of the Atlanta Circuit, and fast building into an enviable reputation as a jurist. James R. Brown is a brother of Gov. Brown, and has

many of the strong characteristics of his more famous kinsman. He is now Judge of the Blue Ridge Circuit, and both in the legislative chamber and upon the bench has been marked by fine practical sense, thorough courage and immovable honesty.

Hon. L. N. Trammell was unanimously elected President of the Senate, by a voice vote, without even the formality of a written ballot. This was a deserved tribute to Mr. Trammell, and no gentleman has ever sustained himself as a presiding officer with more parliamentary skill and personal dignity. His administration was simply perfect. Quick, impartial, firm, courteous, thoroughly versed in parliamentary law, he governed the deliberations of the Senate with consummate tact.

The House also had some marked men on its roll. There was John W Wofford, W H. Payne, Isaac Russell, Emanuel Heidt, W D. Anderson, E. D. Graham, R. W Phillips, Morgan Rawls, Dunlap Scott, M. R. Ballenger, E. F Hoge, Henry Jackson, J. C. Fain, R. L. McWhorter, W E. Simmons, Garnett McMillan, Geo. F. Pierce, J. W Murphy, G. W Bryan, W P. Johnson, H. W Riley, S. E. Field, J. M. Smith, J. F. Pou, L. J. Alred, M. H. Bunn, J. H. Guerry, J. B. Cumming, Claiborne Snead, C. B. Hudson, J. C. Dell, John I. Hall, J. W Renfroe. Of all these bright gentlemen, perhaps there was none of them more brilliant than Garnett McMillan. He possessed a fervent, flashing mind. He died several years after. W E. Simmons was a person of unusually strong intelligence. W H. Payne was a man of cool, substantial caliber. George F Pierce has been almost continuously since in legislatures and conventions, and has an oratory almost equal to his gifted uncle, Bishop Pierce. He is now Solicitor of one of the judicial circuits.

W P Johnson was a son of H. V Johnson, and a young man of bright brain. J. W Renfroe has since been State Treasurer for five years, making a wonderful administration. Claiborne Snead is now Judge of the Augusta Circuit, and a young man of uncommon power. One of the most notable men in this body was John I. Hall, who has been Judge of the Flint Circuit. He has been a warm friend of Gov. James M. Smith. Judge Hall has been one of the cleverest political managers in the State, with a singularly practical vision of the public temper, and a wary, shrewd use of political opportunities. A very promising young man was Henry Jackson, eldest son of Gen. Henry R. Jackson, who has figured so brilliantly in Georgia History in the last quarter of a century. Whether as a lawyer or legislator, Capt. Henry Jackson has been a marked young man. He has been Reporter of the

Supreme Court for nearly ten years, making as efficient an official as the lamented Thos. R. R. Cobb, whose daughter he married.

The House organized by the selection of James M. Smith as speaker. Col. Smith had been a gallant officer in the war, and a member of Congress. He was a person of solid, powerful build, with a square resolute face, and an appearance of rugged strength that betokened the type of his mind. A self-made man, originally a blacksmith, Col. Smith, who afterwards became Governor, was a strong and rising character. He was an able lawyer and an effective political speaker. At the time of his election as Speaker, he was in a law co-partnership with Col. P W Alexander, the famous war correspondent, "P. W A." Col. James D. Waddell was elected Clerk of the House.

The important question that confronted the Legislature was, who should be Governor, Benjamin Conley, President of the last Senate, whose term had expired, and who was no longer a senator or president, or L. N. Trammell, who was the President of the existing Senate? The Constitution devolved the duties of Governor upon the President of the Senate. The Democrats claimed that when Mr. Conley ceased to be President of the Senate, he had no right to act as Governor, and when Mr. Trammell became President of the Senate he became endowed with the right to discharge the Executive duties. That this was the law the best lawyers agreed, and it was the legal solution of this very vital issue.

Gov. Conley not only claimed the right to be Governor, but he maintained that he should serve as Executive for the whole balance of Gov. Bullock's term. Prolongation had been the Republican theory, and it was pursued in this instance fearlessly. It was a fitting and picturesque termination of reconstruction rule, that it should be marked by this battle for the Governorship, this contest for the executive authority. There never has been a finer piece of political moderation than the conduct of the Democrats in this emergency. Nor has there ever been a loftier exhibition of patriotic self-sacrifice than the action of President Trammell in foregoing his undeniable right to step into the august honors of the executive office.

In a spirit of conciliation and conservatism, admirable and conclusive in falsifying the slanderous aspersions upon democratic peacefulness, the Legislature permitted Gov. Conley to hold until an election, and passed a bill to have an election on the 3d of December, 1871. Gov. Conley vetoed the bill. But it was passed over his veto. The Republicans made a prodigious noise over this measure, and denounced it as

revolutionary. But it was all in vain. With a quiet firmness, the Democratic policy was carried out, and the work of State regeneration proceeded to its complete consummation.

Gov. Conley's administration was a very great improvement on Gov. Bullock's. He did some commendable things. He did some acts for which he was severely censured. He stopped immediately Gov. Bullock's extravagant proclamation business. He paid out some $25,188 of the contingent fund in the two months and twelve days of his incumbency. He also pardoned Foster Blodgett for all possible charges against him growing out of the State Road administration. For these two acts he received much popular animadversion. He had several lively conflicts with the Legislature. He vetoed a bill reducing legislative pay to seven dollars from nine; another continuing the session five days beyond the constitutional forty days; another repealing a Bullock law remitting the payment of poll tax for the past three years; another repealing the District court law; another repealing the India rubber twentieth section of the appropriation act under which Gov. Bullock had spent hundreds of thousands of dollars on every species of claim; and another authorizing an investigation of our bonds.

These were all party battles, and were made by Gov. Conley to press Republican strategy. The tussle between Conley and the Democrats became right animated. He was game and personally honest, but he was an uncompromising partisan, and struck the democracy every hard blow that he could. No charge of inconsistency could move him. He had prolonged hundreds of days in the Bullock Legislature, but yet he vigorously stormed over the alleged outrage of Democratic prolongation of five days to wind up business. He took $9 a day for 320 days, but condemned Democratic extravagance that wanted $7 a day. He was scored roundly with these inconsistencies, but it made no difference. He pounded away vigorously upon the Democrats, and he gave them a deal of trouble, and kept them actively retorting.

The Democratic convention to nominate a candidate for Governor, met in Atlanta, on the 6th day of December, 1871. There were 372 delegates from 134 counties. Among the delegates were Barney Hill, T. G. Holt, C. C. Kibbee, M. Rawls, R. T. Fouche, J. C. Fain, T. M. Peeples, W E. Simmons, A. D. Candler, G. F. Pierce, B. B. Hinton, H. L. Benning, M. Blanford, L. F. Garrard, P W Alexander, A. R. Lamar, L. J. Alred, J. C. Nicholls, J. T. Clarke, J. B. Cumming, C. F. Crisp, C. W Hancock, C. J. Wellborn, I. E. Shumate, J. A. W Johnson and William M. Reese. This was the first political appearance of a

very bright young man, C. F Crisp, son of a distinguished theatrical actor. Mr. Crisp is now Judge of the South-western Circuit, and is a rising jurist.

Hon. Julian Hartridge was elected Chairman of the Convention. The contest was between Herbert Fielder, Gen. W T. Wofford and Col. James M. Smith. Fielder and Wofford withdrew, and Smith was unanimously nominated. A new Executive Committee was appointed, consisting of Clifford Anderson, E. F Hoge, J. B. Cumming, C. W. Styles, J. C. Dell, J. H. Hunter, C. C. Kibbee, W. O. Fleming, A. R. Lamar, H. Buchanan, A. D. Hammond, J. I. Hall, G. F. Pierce, J. D. Mathews, G. McMillan, W E. Simmons, J. T. Burns, and C. D. McCutchen.

The Republicans finally declined to run a candidate. Col. H. P Farrow published a letter afterwards, giving an interesting account of the Republican perplexity. A caucus was held at the capitol, consisting of J. Johnson, John S. Bigby, J. R. Parrott, Madison Bell, R. L. Mott and others. The Bullock administration was the incubus. There seems to have been an entire repudiation of Bullock's [illegible]. They "were in no way connected with the Bullock ring." Fost[illegible]ett's resignation as Chairman of the Executive Committee was received, and James Atkins was nominated for Governor. Col. Atkins declined. Among the phrases used in this Republican caucus were such as "the shameful administration of Gov. Bullock;" "fled the country dishonored, yet 'unwept, unhonored and unsung!'" and "betrayed in every essential particular the confidence of the party."

James M. Smith was elected Governor, the fact that there was no opposition causing a light vote, only 39,705; and Gov. Conley in his message transmitting the ballots to the General Assembly, with some bitterness, but incorrectly, claimed that the smallness of the vote demonstrated that the people of Georgia did not desire an election to fill the unexpired term of Gov. Bullock. The Governor elect resigned his place as Speaker, and Jos. B. Cumming was elected in his place.

On the 12th day of January, 1872, Gov. James M. Smith was inaugurated amid universal rejoicing. The Representative Chamber was packed. Gov. Smith was accompanied by the State officials and Judges, Gen. Toombs, Gen. Colquitt, ex-Gov. Joseph E. Brown, P W Alexander and others. His inaugural was a concise, earnest address, that was fully applauded. He used this expression:

"Recurring to the occasion which has brought us together to-day, it cannot escape the most careless observer, that we have assembled under circumstances of an extraor-

dinary character. The late Governor, whose unexpired term of office I have been chosen to fill, is a voluntary fugitive from the State of his adoption. During his brief incumbency there has been an addition of untold millions to the public debt. He has left the finances of the State in the utmost confusion and disorder."

No words can convey the depth and fervor of the public joy over this restoration of a rule resting on the free choice of the people. Over the length and breadth of the commonwealth welled up one universal, deep-souled acclaim of gladness. There was a double satisfaction in the event, the end of misrule and the inauguration of good government. The despotism of the bayonet was gone, and it seemed as if we had, after an unspeakable pilgrimage, reached the promised land.

Nor was the rejoicing confined to Georgia. From every part of the Union came back to us congratulations and the responsive echoes of our delight. Some of the comments were very striking. The New York *World* in particular made the event the subject of some reflections that contain a profound philosophy, and well merit quotation. Said this journal:

"Georgia, more than any of the Southern states, has suffered from the process of reconstruction, and her present deliverance is an ample proof of how futile that process has been. All the powers of the Federal Government—the army, the treasury, the courts—have been exhausted to keep her in a certain position, and at the first election we find her escaping out of that condition and assuming a position of her own. Had it been some powerful Northern state, like New York, or Massachusetts, or Illinois, that had been time and again bound hand and foot, and yet burst its bonds almost in the instant they had been completed, the wonder would not be great; but that a beaten and impoverished commonwealth like Georgia has risen superior to the whole strength of the Administration is something amazing. It shows how little real root there is in centralization, and how fully able a State is to cope with the whole Federal Government when that Government is prostituted to party ends. Nothing that Congress could do—nothing that the President could do—has been able to keep this State in that vassalage to which Congress and the President bent all their energies to reduce her. It has been impossible to keep the cork under water, whatever the superimposed force. No less than seven acts of Congress were leveled at Georgia; no less than three times was her civil establishment superseded by martial law; and the end of it all is that the State is to-day just where it was in 1866—in absolute and entire control of her own people. The reconstructed legislature is gone, the reconstructed judiciary is gone, the reconstructed Governor is a fugitive thief, the bayonets are gone, the laws are inoperative, and, in the language of the ring, the State, after an infinitude of punishment, comes up to the scratch smiling and knocks its antagonist out of time."

If the public happiness was great over the exhilarating spectacle, that one of Georgia's own sons, by her own untrammeled suffrages, sat in her honorable Executive seat, there was an equally profound sense of relief, that the dismal reign of Radical misgovernment had ended forever.

The writer at that time gave expression to the popular feeling in the following editorial article in the Atlanta *Constitution*, which a general reproduction in the State press attested to be the public conception of the defunct reconstruction dynasty, and which, though written in the haste of rapid preparation and with the over-coloring due the feverish times, presents the truth:

"OBITUARY

GEORGIA RADICALISM.
Perished through its own corruption,
12 M., January 12th, 1872,
In Atlanta, Ga.,
In the Representative Chamber of the General Assembly,
And by the free ballots of the virtuous people it outraged,
The detestable body of
GEORGIA RADICALISM.
It was aborted
January 30th, 1868,
Of the horrible rape of State Sovereignty
By the brutal Bayonet.
It lived three years, eleven months and twenty seven days,
A ghastly thing
Of ceaseless, infinite, unnamable
VILLAINY.
It debauched the
STATE'S CHIEF MAGISTRACY
Into a hissing term of loathsome scorn,
And a glaring by-word of ignominious reproach.
It clutched in its leprous grasp the
STATE'S PURE JUDICIARY,
And bedraggled it in slime
Until its spotless ermine was as black and offensive,
As Radicalism's own adored Africa.
It transformed the
STATE'S GREAT LEGISLATURE
Into a howling pandemonium of indecency and plunder,
An unconvicted penitentiary of thieves, blackguards and felons,
In which a few good men
Made the large majority of its members
More conspicuously infernal by the tremendous contrast.
Politics it reduced to a scientific scheme of
POLITICAL HARLOTRY.
Hypocritically making a hobby of Education,
It Stole
Every dollar of the State Educational Fund.
In the name of justice,
It turned loose the imprisoned convicts

Of the whole broad State,
To recruit its corrupt ranks and create crime.
It ascribed this crime to the virtuous people,
To perpetuate its power
By making such purposed disorder
A diabolical pretext
For the overthrow of State government,
And the interference of national despotism
To crucify the commonwealth
For the Radical benefit.
It made the State
A HELL,
In practice for its own certain destination.
It pounced its ravenous claws
On the State's giant property, its great railroad,
With the rabid rapacity of a hungry hyena,
And its plan of gobblement will glare
Through the accumulated rottenness of ages
An unequaled model for all
Big and bold-schemed bandits.
If it had a single virtue,
Concentrated microscopic partiality
Has failed to find it.
Malice knows no crime it has not committed,
While it has enriched
The catalogue of Satan
With its new and devilish devices
Of Evil.
To the State's honor
Be it eternally said
That it found little State stuff,
Vile enough for its use.
It imported
Its scamps from the moral North,
And the hegira
Of its gorged buzzards home
Under the law's lash,
Leaves little of its organism
Save the deluded masses
Of its despised, robbed and ignorant
AFRICANS,
Who rue its rule,
And curse its existence.
It spewed all the good men from its association,
And left them sick, shocked and stranded
On the great rock
Of a remediless political blunder.
But we cannot hope to do it justice.

Words are unequal to the task.
What evil it did not do
Was not from want of venom
But of physical capacity.
The hottest torture
It will know in the flames
Of its inevitable home will be
Its own unappeased malignity,
Its hungry disappointment at unaccomplished crimes.
To sum up its record
It has broken every law,
Violated every decency, betrayed every trust,
Injured every interest, hurt every industry,
Wronged every citizen, neglected every duty,
Committed every crime, omitted every virtue.
It has done falsehood, theft, hypocrisy,
Slander, perjury, oppression, blasphemy,
Murder, treason and sacrilege.
Hereafter among Shame's penalties,
The most stinging blazonry of Scorn
Will be the mere fact
That a man was
Of it.
Its short career constituted
GEORGIA'S DARK DAYS.
Its downfall
Makes up a joy and a blessing
As bright and blissful
As its rule was dark.
And language cannot convey that.
Its epitaph
No time can obliterate
From the hearts of future
As well as present generations.
It is this:
CURSES ON ITS MEMORY."

It may well be conceived that a rule that drew such contemporaneous expression of conservative opinion had been black and heavy indeed. On the 30th day of January, 1868, Gov. Jenkins was removed by Gen. Meade. On the 4th day of July, 1868, Gov. Bullock assumed to be Chief Magistrate as Provisional Governor. On the 21st day of July, 1868, he was sworn in to the Executive trust. On the 30th day of October, 1871, he resigned. And on the 12th day of January, 1872, Gov. James M. Smith was installed as the Executive. From the 30th day of January, 1868, to the 12th day of January, 1872, of this never-to-be

forgotten epoch of a foreign and hostile rule, it was four years lacking eighteen days.

One touching act of restored sovereignty needs record to complete the picture of joyful State redemption. Ex-Gov. Charles J. Jenkins, with the conclusion of military domination, returned from his long exile and gave back to the custody of a lawful Executive the great Seal of State, and certain executive papers that he had taken with him. The letter of ex-Gov. Jenkins, in discharging this agreeable duty, is a paper of exquisite diction, lofty sentiment and noble dignity There is no document among the great records of this or any other State or Government to surpass this superb emanation of an exalted and patriotic statesmanship. It presents the chronicle of the abhorred rape of our State's sovereignty, and his own dutiful efforts to protect the commonwealth from ignominy, in fitting language and an heroic spirit. Breathing the sentiment of liberty and law, speaking a broad devotion to the principles of a constitutional government, imbued with the heroism of martyrdom for the right, and maintaining in lofty words the obligations of personal honor and official responsibility, this great enunciation of the noble Jenkins was alike an immeasurable rebuke to the evil dynasty it followed and a glorious inauguration of Georgia's regenerated majesty.

This peerless paper thus characteristically concluded in words deserving forever to live:

"The removal of the books and papers was simply a cautionary measure for my own protection. Not so with the seal. That was a symbol of the Executive authority, and although devoid of intrinsic material value, was hallowed by a sentiment which forbade its surrender to unauthorized hands. Afterwards, whilst I was in Washington, vainly seeking the interposition of the Supreme Court, a formal, written demand was made upon me by General Ruger for a return of these articles, with which I declined to comply. The books and papers I herewith transmit to your Excellency, that they may resume their place among the archives of the State. With them I also deliver to you the seal of the Executive Department. I derive high satisfaction from the reflection that it has never been desecrated by the grasp of a military usurper's hand, never been prostituted to authenticate official misdeeds of an upstart pretender. Unpolluted as it came to me, I gladly place it in the hands of a worthy son of Georgia—her freely chosen Executive—my first legitimate successor."

Counting the years from the 19th of January, 1861, the day of secession, to the 12th of January, 1872, which witnessed the complete restoration of the wandering star of Georgia to the orbit of the Union, a period of eleven years lacking one week, and we see what must ever be the most stupendous era of her history in its events and changes. The mind fairly reels in the retrospection of this turbulent decade. It is such an

historic picture as the future chronicler will dwell upon with wonder and awe, and portray with a pulsing pen.

Starting from an unparalleled prosperity and progress in a sunny peace, the lordly craft, cut from its moorings by its own friendly hands, shot into the fiercest storm of human annals. There was no extreme of woe, blood, wreck, ravage, anarchy, misrule, despotism and shame that it had not suffered to the very dregs. War was terrible; peace proved more so. Failure seemed the culmination of ignominy; fortune showed the mistake. An evil destiny fatigued its invention in the supplement of grotesque dishonors it swarmed upon a shattered commonwealth.

The story of shade, blight and rancor can never be exceeded. To see a community of a million of people tossed for eleven long years in such a drift of mad event is something touching, and full of awe. It looked as if a dark fate delighted in expending its endless catalogue of horrors upon one poor republic. The unconquerable vitality of a fine statehood was shown in this iron ordeal. Like a repressed giant, the spirit of our free people was indomitable and asserted itself with resistless force. As soon can the untamable wind be cribbed, as to curb the aspiring life of a manly breed of men.

It was a decade picturesque with red terror and black misrule. It piled woe after woe upon the State. It furnished prodigally every experience of human suffering, and every fantastic phase of misgovernment. But through it all, a Christian citizenry carried its honor, its spirit of freedom, its integrity and its religious civilization, sacredly preserved, and the very second that marked the withdrawal of the rude grasp of repressive power saw the proud and instantaneous spectacle of a re-established State nationality, erect, perfect, and august, the very incarnation of an enlightened popular sovereignty—REGENERATED GEORGIA.

CHAPTER XLIII.

GEORGIA'S FAMOUS EXPURGATION OF FRAUDULENT BONDS.

Ex-Gov. Joseph E. Brown's Emergence from Odium.—His Opposition to Bullock's Schemes.—The Seeley Trick Rebuked.—The State Road Lease.—Gov. Brown Resolves to Fight a Duel with Gen. Toombs.—The Correspondence.—Official Changes.—J. G. Orr.—Gov. Smith's Staff.—P W Alexander.—J. W Warren.—T. M. Norwood Elected United States Senator.—The Great Bond Question.—The Bond Committee, Simmons, Hall and McMillan.—Report.—Statement of Bonds.—The Bonds Rejected.—The New Legislature.—Its Personelle.—T. L. Snead and his Bond Compromise.—A Measure of State and National Agitation.—Letters of Leading Georgians upon it.—The Constitution of 1877 Settles the Bond Matter Finally.

It was a significant fact that ex-Gov. Joseph E. Brown accompanied Gov. Smith to be inaugurated. The long and painful separation from his former political allies was coming to a fitting close. It was destined to be still a long time before he came back to the full political fellowship that was due to his sincerity of conviction and thorough courage. While in no way had the merited bitterness against the venal reconstructionists abated, the public mind was discriminating, and men occupying Gov. Brown's position were getting a correcter judgment. Gov. Brown sturdily antagonized the wrongs of the Bullock régime, and he effectively opposed the iniquitous attempts at additional gratuitous reconstruction acts for Radical partisan purposes. No man was more devoted to the best interest of Georgia than he, and while he was for acquiescing in inevitable hardship, he was the last man in the State to seek the imposition of superfluous ignominy upon the people.

A man by the name of Isaac Seeley sent out a circular urging that affidavits be gotten up to show that voters were denied the right to vote by challenges for non-payment of taxes, and if necessary, Republicans must challenge each other at the polls. The object of this swindling trickery was to manufacture a foundation for Congress to pass an act to prevent abridgment of voting by the assessment of taxes. This was one of the innumerable Radical schemes for controlling the State through Congress that were so ingeniously used in that day. Seeley sent a circular to Gov. Brown, who, in an open letter, exposed and

denounced the villainy, and declared that the wisest thing Congress could do was to sweep from the statutes the last vestige of political disability

The battle over the State road was hard fought, and a striking triumph for Gov. Brown. A rival company, composed mainly of Atlanta citizens, had sought to lease the road, but had been defeated by Gov. Brown's company. The most determined effort was made to break up the lease. The papers were filled with the subject. It was brought before the legislature. A joint committee was appointed to investigate and report upon the fairness or unfairness of the lease, composed of Senators Wm. M. Reese and A. D. Nunnally, and Representatives G. F Pierce, Geo. M. Netherland and C. B. Hudson. The inquiry was exhaustive. Every possible witness was examined under oath. Majority and minority reports were made. There were extensive discussions. The fight was full of very hot blood and a deep conflict of moneyed interest. The purpose to break the lease was resolute and acrimonious. There was no tendency to compromise, but the fullest determination to fight it out on both sides to the bitter end.

The legislature finally sustained the lease by an overwhelming majority, and Gov. Brown had reason to be proud of his victory. He had the best metal of the State pitted against him. His management of the long conflict was a model of cool temper, sleepless vigilance and masterly force. It was curiously illustrative of the disrepute into which the expelled Bullock régime had fallen, that the heaviest burden the Seago Company, as it was called, had to carry, was the connection with it of Foster Blodgett's name. There is an interesting feature of this memorable lease that deserves mention. Nearly all of the original lessees have sold out their shares, and yet the practical anomaly is seen of the new owners, being unable under the lease law to control their property, which remains under the management of the first lessees, who alone are liable to the State, and with whom alone the lease contract was made, and who by the statute are made the directors of the company for the whole period of the lease.

We now come to a strange episode in Gov. Brown's life. He seemed destined to have every possible experience that falls to man. The drama of his career was a complete catalogue of surprises and alternations. He had been from boyhood a member of the church, a devout, pious Baptist, a man of prayer, a pillar of his denomination. His life was practically Christian. It was a powerful set of circumstances that led him deliberately to prepare to enter into a duel under the Code. Yet this he did, and Gen. Robert Toombs was his antagonist. No one contem-

plated the idea for a moment, that Gov. Brown would determine upon such an act, so foreign to his life and character. But in the long years of political proscription and personal abuse, a nature constitutionally combative, had become fired by a keen sense of injustice at the savage invective, that while much abated, still fusilladed him with considerable vigor from several quarters. Gen. Toombs, with a capacity for scathing characterization, had made Gov. Brown a special object of attack.

That Gov. Brown should resolve to check the current of vituperation was not an unnatural conclusion for a man of his inherited belligerence and stern temper. He made up his mind in his quiet way, to go to the field and fight. He secured Col. James Gardner as his second, and had every arrangement made to push this issue to extremes. The correspondence tells the whole story, which is permitted to speak for itself. The duel did not come to a meeting, owing to a hitch that will be seen in the correspondence, but it is none the less true that Gov. Brown had made up his mind to fight the duel. And it was a strange result, testifying loudly to the inconsistency of the best human nature that Gov. Brown's resolution to fight not only did him a wonderful amount of good with the ungodly, but as they felt he had long suffered great injustice and wrong it pleased his Christian friends, whose moral and religious ordinances he proposed to violate. The meekest people like pluck and spirited resistance to wrong. Gov. Brown remained in his church relations, not only not injured by his war-like episode, but with an increased respect and an enlarged church influence.

The cause of the difficulty was the following private letter, published by the Griffin *News*, on the 27th of June, 1872, to a gentleman of that city:

"WASHINGTON, June 19th, 1872.

"*Dear Sir:* I do not know the heirs of Mitchell, and do not know whether they are men, women or children, and certainly made no allusion whatever to them in the speech referred to, and I will add that I have no doubt that if they had any rights to the property referred to, they were stripped of the largest portion of their rights, as well as the State.

"The journals of the Legislature show, that in the face of a direct offer of one hundred thousand dollars for a quit-claim deed to the property in dispute made by General Austell and others, and of the unanimous opinion of all the lawyers employed in the case by Bullock, except one, that the title of the State was clear, the Legislature accepted the offer of thirty-five thousand dollars from Lochrane, Kimball and Brown, who engineered the bill through the Legislature in the name of the Mitchell heirs.

"The term 'orphans of Mitchell' was applied to them in derision of the pretenses, under which the people were stripped of their property for the use of these 'orphans.'

"This action of the Legislature was the result of bribery, pure and simple. The

acceptance of the thirty thousand dollars in lieu of the hundred thousand offered under the circumstances contained in the journals is conclusive proof of that fact.

"I did state further, that as far as my knowledge extended, all of the public plunderers who pretended to be Democrats, from Tammany Hall down to the smallest petty larceny thief on the State Road, were Greeley men, and so is the fact.

"The spoliators of every party in this country dread nothing so much as the return to power of the State Rights Democratic party of the United States. That party is the terror of all the enemies of the public by whatever name they may be called.

"I am very respectfully, your ob't serv't.,

"R. TOOMBS."

Gov. Brown made this reply in the *Constitution* of July 3, 1872:

"ATLANTA, GA., July 2, 1872.

"*Editors Constitution:* My attention has been called to a letter published in the Griffin *Daily News*, signed R. Toombs, in reference to the passage of the resolution of the Legislature of 1870, compromising the litigation between the heirs of Samuel Mitchell and the State of Georgia, in which Gen. Toombs uses the following language:

"'The Legislature accepted the offer of $35,000 from Lochrane, Kimball and Brown, who engineered the bill through the Legislature in the name of the Mitchell heirs. The term 'orphans' of Mitchell was applied to them in derision of the pretenses under which the people were stripped of this property, for the use of these 'orphans.' This action was the result of bribery pure and simple. I did state further that as far as my knowledge extended, all the public plunderers who pretended to be Democrats, from Tammany Hall down to the smallest petty larceny thief on the State Road, were Greeley men, and so is the fact.'

"Now if Gen. Toombs intends by his language to say that I have been guilty of bribery in 'engineering' this bill through the Legislature, I pronounce his statement an infamous falsehood and its author an unscrupulous liar.

"Very respectfully,

"JOSEPH E. BROWN."

Judge Lochrane published an aggressive and denunciatory reply to Gen. Toombs, in which he argued the facts, and thus concluded:

"Too long have the interests of Georgia been cursed by the bewildering folly of Toombs. May the God of justice interpose to save the State from the further infliction of his pestilential influence, and as the State has heretofore been spared his precedent, may Providence, in the future, spare her the curse of his parallel."

This very neat piece of abuse is given, as in Gen. Toombs' reply there is some clever counter-crimination. The contest between these two was merely wordy. The difficulty with Gov. Brown was a serious affair, and he meant fight, and conducted the correspondence to that end. Gen. Toombs sent Col. John C. Nicholls on the 9th of July, 1872, to Gov Brown, to informally inquire if he would give Gen. Toombs satisfaction under the Code. Gov. Brown, in a very polite, but as he considered it a very positive conversation, gave the assurance plainly, as he thought, that he would give satisfaction when called on by Gen. Toombs. After

Col. Nicholls retired Gov. Brown at once telegraphed his friend, Col. Gardner, at Augusta, requesting him to come to Atlanta by the first train. Col. Gardner arrived on the early morning train of the 10th. Gov. Brown called on him immediately, and gave him a full statement of the interview between him and Col. Nicholls. Col. Gardner told him his only mistake was, that he did not have all communication on the subject conducted in writing—that if Col. Nicholls should have misunderstood him, or should give a different version of the conversation, it might be unfortunate. Col. Gardner then advised Gov. Brown to see Col. Nicholls without delay, and agree in writing, what was said in the interview. It was early in the morning, and Gov. Brown at once inquired of the hotel-keeper for Col. Nicholls' room. But he was informed that Col. Nicholls had left the previous evening for his home in Southern Georgia. He was also informed that Gen. Toombs had left very early that morning for his residence in Washington, Ga., and curiously enough Col. Gardner was assigned to Gen. Toombs' vacated room. As neither Gen. Toombs nor Col. Nicholls were in Atlanta, it was not then in his power to see Col. Nicholls to reduce the conversation to writing, nor to communicate it immediately in writing to Gen. Toombs. Col. Gardner then advised him to reduce the conversation just as it occurred to writing, and forward it by express immediately to Gen. Toombs, at his home, so that there could be no dispute about its receipt by him. This Gov. Brown did, and sent the written statement to Gen. Toombs by the express of that day, and took the receipt of the express company for the communication, which he was informed by the expressmen was promptly delivered.

This communication, so far as it relates to the interview between Col. Nicholls and Gov. Brown, is copied into Gov. Brown's card to the public, dated July 17, 1872, and need not be inserted here. The address and the memorandum referring to Col. Gardner's advice to see Col. Nicholls, and have the conversation reduced to writing immediately, are omitted.

On the 16th of July, Gen. Toombs published the following article in the Atlanta *Sun*, dated the 11th.

[*From the Sun.*]

"WASHINGTON, GA., July 11, 1872.

"*To the Editors of the Sun:* A brace of ex-Chief Justices, of this State, honored me with their notice and vituperation in *The Constitution* of the 3d instant. There were a trio of these *chevaliers d'industrie* engaged in the transactions referred to. The third member of the firm (Mr. H. I. Kimball) is absent from the State, I suppose, 'from circumstances beyond his control.' These assaults excite no surprise.

"Since the adjournment of that band of public plunderers whom General Terry and

Bullock installed as the Legislature of Georgia in October, 1870, I have devoted much of my time and strength in endeavoring to secure the persons of these accomplices in guilt, and to preserve the evidence of their crimes from destruction, until the criminal laws could be enforced against them, and a 'free parliament of the people' could assemble to aid the administration of justice, and wrest from the grasp of the spoilers so much of their ill-gotten gains as might be within the reach of law or legislation.

"These efforts have not been wholly unavailing, and I trust I have been able to render some small service to some of the very able and efficient committees whom the Legislature have charged with the consummation of this great work. My small portion of the work has excited the deepest enmity of the whole gang of spoliators against me. I accept it as some evidence that I have not labored wholly in vain.

"It is worthy of notice in the beginning, that not a single statement made by me in the publication to which they refer, is denied by either Lochrane or Brown. They do not deny that they, in connection with Kimball, engineered through the Legislature the resolution ceding the Railroad Park property in Atlanta, in the name of the heirs of Mitchell; nor that the Legislature accepted thirty-five thousand dollars from their clients in the face of a responsible offer of one hundred thousand dollars for a quit-claim deed to the same property; nor that this action of the Legislature was the result of bribery, pure and simple; nor that the acceptance of the thirty-five thousand dollars in lieu of the one hundred thousand dollars offered under the circumstances contained in the journals, is conclusive of that fact. Here are the specific charges contained in my letter, and the proof referred to, to sustain them.

"I shall dismiss the reply of Lochrane very summarily. Treachery, mendacity, venality, servility to Bullock and the Radical gang, rottenness in and out of office since the surrender, has so strongly stamped his character, that nothing he could now say—no new falsehood he might utter, and no new crime he might now commit would, in the least degree, affect his public reputation or his private character where he is known.

"He boasts of buying a large portion of the Park property, and of large amounts expended in its improvement, when I know that since that purchase, if purchase it be, he has been compromising his honest debts for about thirty cents on the dollar; and if the money for the improvements came out of his purse, it must have been acquired by his practices under color of his profession, or his malpractices on the Bench.

"Ex-Chief Justice Brown denies neither of the statements which I affirmed. He contents himself with quoting from my letter, and then adding: 'Now if General Toombs, by this language, intends to say that I have been guilty of bribery in engineering this bill through the Legislature, I pronounce his statement an infamous falsehood, and its author an unscrupulous liar.'

"He quoted the language, and therefore knew I did not 'say' so. If he felt in doubt about the intention—the construction of the language—he might have asked for an explanation. The propriety of this course is so obvious that no gentleman could fail to perceive it. Brown preferred hypothetical denunciation, the usual dodge of a vulgar poltroon, and played his characteristic rôle. He is extremely technical: '*If* General Toombs intends by this language that *I* have been guilty of bribery in engineering this bill through the Legislature,' etc. I think the probabilities are very much against Brown's being *personally* engaged in the bribery. I think he is too cunning and skillful a lobbyist to run any such unnecessary risks, especially with such experts as Kimball and Lochrane, aided by Blodgett, assisting him in the work of engineering the bill through the Legislature.

"The plain history of the case, and the examination of the journals of the Legislature (the evidence to which I referred) will fully vindicate the correctness of my opinion of the transaction.

"In 1842, Charles Mitchell, with the view to secure the location of the depot of the road on his land, donated, in fee simple, by deed of warranty, five acres of land to the State for 'placing thereon the necessary buildings which may hereafter be required for public purposes at the terminus of said road.' The State entered, occupied and held undisturbed possession of this property for nearly a quarter of a century.

"In 1867, Brown and Pope brought suit for the heirs of Mitchell for the park portion of the property. No action was ever had on this suit; but in 1868, the case was carried before the Legislature, and the claim rejected. It there slept until Bullock got another reconstruction act through Congress, and he and General Terry had, by fraud and force, ejected a large number of the true representatives of the people, and replaced them with a sufficient number of his own pliant and corrupt tools to render powerless the honest men whom he could get no pretext for ejecting.

"The State being thus prostrate at the feet of the usurpers and plunderers, Bullock, their chief, with a corrupt Judiciary of his own appointment, with a venal Legislature, sounded his bugle and called his clans to the sacking of the Commonwealth.

"Lochrane was among the very first to obey the call. In July, 1870, he put in the rejected claim of the heirs of Mitchell, in a proposition to Bullock, to give him the whole of the property in dispute in the suits, except a strip of land two hundred and forty feet wide, between Lloyd and Pryor streets, where the depot then and now stands, for thirty-five thousand dollars. This property was estimated then to be worth between three hundred thousand and four hundred thousand dollars, by some of the best citizens of Atlanta. The proposition was referred by Bullock to the counsel he had employed to defend the State's interests. Mr. William Dougherty, Judge Collier, Mr. Hoyt, Judge Hopkins and Mr. Nunnally, of the counsel, met, consulted, and except Nunnally, unanimously decided that the title of the State was clear and *unquestionable*, and directed one of their number so to report to the Governor.

"Judge Hopkins differs with Messrs. Dougherty, Collier and Hoyt as to the other facts, but agrees that the title of the State was clear.

"Bullock sent in Lochrane's proposition, with a false statement, as was his habit, of a material fact in the case. This message was received on the 13th of October, 1870, referred to a select committee of both houses the same day, and on the next day was reported back with a recommendation that Lochrane's proposition be accepted. The counsel for the State had no notice of the meeting of the committee, and were not present, except Nunnally, who favored Lochrane's proposition, and Judge Hopkins, who suggested to Bullock a compromise, 'on such terms as the relative vantage ground of the two parties will justify.' Lochrane represented the Mitchell heirs.

"This report was made the special order of the day for the 17th of October. It was taken up on that day. Mr. Candler, on the 14th, having moved to request the Governor to send in the opinions of the counsel for the State, his resolution, on motion of Mr. Speer, was laid on the table.

"On the 17th Mr. Candler moved a substitute reciting the offer of General Austell and others, to bid one hundred thousand dollars for a quit-claim to the Park, and providing for its acceptance and putting the property up at auction with that upset bid.

"Mr. Bradley offered as a substitute to the whole a resolution to give the heirs of Mitchell the right to sue in the courts of the State for the property, which substitute

was rejected, and the substitute of Mr. Candler was also rejected by one vote; and the report was then adopted by 22 to 11 votes.

"The Chairman of the House Committee, on the 4th of October, made the same joint report to the House. It was taken up on the 20th, and Mr. Hall moved the adoption of the Senate's report as a substitute for his own.

"Mr. Scott then submitted the offer of General Austell and twelve other citizens of Atlanta, to pay one hundred thousand dollars for the State's quit-claim deed to the property within ninety days after date; and offered a resolution providing for commissioners to put up the property at public auction; and providing further, that if the commissioners failed to get a bid of one hundred thousand dollars for a quit-claim title to the property, the Governor should be authorized to accept the proposition of the Mitchell heirs for thirty-five thousand dollars. This proposition was rejected by a vote of 49 to 73, and the Senate's substitute was adopted.

"Such is the record upon which I formed the opinion that the action was the result of bribery, pure and simple. I did not suppose that all who voted for the bill were corrupted. Some men were doubtless misled. Others, influenced by other than corrupt motives, but it is clear that the managers of the scheme of plunder profited by their betrayal of the public trust.

"The record is complete. The state's title was settled by the judgment of the Supreme Court; was clear and *indisputable*, in the opinion of four of the leading counsel of the State.

"Their opinions were suppressed by a direct vote of the Senate. The friends of the bill refused to permit the claims to go before the courts for trial, though counsel fees to the amount of fifteen thousand dollars were paid to defend the titles. Thirty-five thousand dollars was accepted from the Mitchell heirs for a property in lieu of one hundred thousand dollars offered by others, without the pretense of a reason therefor being found on the record—except Jackson's letter to Bullock—which property, within a few days after the consummation of this wickedness, with all the cloud of this corruption hanging over it, brought at public outcry over two hundred thousand dollars.

"Gov. Brown does not deny that he aided in lobbying this measure through the Legislature. He was present in the Senate when the bill was before it, as was also Lochrane, Kimball and Blodgett; and he was justly rebuked on the floor of the Senate by Mr. Candler for his conduct in this matter.

"Lobbying is a crime—a misdemeanor at common law; a crime intensified by his high judicial position.

"But there is yet a still graver charge than lobbying against the ex-Chief Justice. Before these occurred, the case of Thornton and others vs. Trammell and others, came before the Supreme Court. It was a case really against the Western and Atlantic Railroad, for the Dalton depot, and involving the same principles. The counsel for the Road objected to Brown's sitting in that case, on the ground that he was employed in the Mitchell heirs' case, which was undecided See 39th Georgia, 208. Brown stated 'that in that case, the language of the deed is different, and *I have turned over the case with the obligation* of the fee to the other counsel. Under these circumstances,' he was adjudged by the other Judges competent to sit on the case.

"He did sit, dissented from the court, but gave no opinion. He weakened the opinion all he could by his dissent, but gave no opinion himself.

"Was that statement of Brown true? If so, he either had no claims on the Mitchell heirs for fees, or he afterwards contracted for and accepted fees while on the Bench. If

not true, he sat in a case in the decision of which he was interested, and decided in his own favor.

"It is a high crime in the highest judicial officer of the State to bring his influence to bear in any way to control the actiou of the Legislature. His very position may control those who have suits before him. The ordinary criminal may be in his hands. He may have power to save from just puuishmeut for his crimes even the victim of his own perfidious debauchery. "R. TOOMBS."

To this article of Gen. Toombs Gov. Brown made reply on the 17th of July, 1872, the day after its publication:

"TO THE PUBLIC.

"ATLANTA, GA., July 17, 1872.

"*Editors Constitution*:—As Gen. Toombs has thought proper to appear again in print before the public, while a personal issue was peuding between him and me, I have a very simple reply for him. In his card, *dated* the 11*th* instant, aud *published* on the 16*th*, he refers to me as resorting to the usual dodge of a vulgar poltroou.

"This man, having been branded by me as an unscrupulous liar, fancied, perhaps, that he had sufficient courage to defend his personal honor, or perhaps he thought he could safely play the rôle of a bully. Accepting, therefore, the position of the injured party, and feeling no little concern about my church relations, he sent a friend to me to inquire if I held myself amenable to the code of houor. I replied as follows:

"Col. J. C. Nicholls entered my office, on the morning of the 9th instant, and said, 'I desire to see you a moment privately,' when the followiug conversation occurred:

"NICHOLLS—'I have come in behalf of Gen. Toombs to make an inquiry of you.'

"BROWN—'Well, sir, I will hear you.'

"NICHOLLS—'On account of your church relations, Gen. Toombs does not know whether you hold yourself amenable to the code, and while I admit this is an irregular proceeding in behalf of Gen. Toombs, I make the inquiry.'

"BROWN—'It seems to me, this course is extraordinary. Gen. Toombs has nothing to do with my church relations. If he desires to send me a communication, I am ready to receive it at any moment. I have conferred with a friend who does not reside in Atlanta, but I will telegraph him at once, and respond to a communication, if made, after referring it to him, without unreasonable delay. Are you Gen. Toombs' friend in this matter?'

"NICHOLLS—'I am not, in that sense. I expect to have nothing whatever to do with the matter. I only come to make this inquiry, at Gen. Toombs' suggestion. He may desire a little time, as he will have to get a friend who resides out of the State, for he does not wish to complicate his friends in the State.'

"BROWN—'I shall not trouble persons out of the State. I have a friend in the State who will serve me.'

"NICHOLLS—'I would like to know whether you hold yourself bound by the code?'

"BROWN—'Say to Gen. Toombs distinctly, that I am ready to receive any communication that he desires to send, and if I don't respond properly, he knows his remedy.'

"NICHOLLS—'What I have done in this instance is simply an act of friendship to Gen. Toombs, because he requested it. I expect to take no part in auy unpleasant affair between you and him.'

"BROWN—'Say to Gen. Toombs I hold myself ready to give him any satisfaction which may be due him, or to which he is entitled as a gentleman.'

"This language is in Gen. Toombs' possession in writing, over my own signature To be certain that he received it as uttered, it was sent to him, on the 10th, after he left Atlanta, by the first express to his home at Washington.

"This code-of-honor gentleman left Atlanta the day after this language was uttered. He responds in the *newspapers*. I leave the public to judge who is the poltroon, and whether Gen. Toombs preferred *newspaper* artillery to heavier metal.

"JOSEPH E. BROWN."

The following publication by Col. Nicholls, giving his version of the interview, was published on 19th of July, 1872:

"ATLANTA, July 18, 1872.

"GEN. ROBERT TOOMBS, ATLANTA, GA.:

"*Dear General*:—A card is published this morning in the *Constitution and Sun*, over the signature of Joseph E. Brown, which purports to give the verbiage of a conversation had with me on the 9th instant.

"This statement of the conversation is substantially untrue.

"Gov. Brown states that he was advised to see me 'and have me to agree in writing what occurred.' He failed to follow the advice. He has not approached me on the subject.

"As Gov. Brown has seen fit to pursue this extraordinary course, I feel that it is due to you and to myself, that you publish my statement of the conversation.

"Sincerely your friend,

"JNO. C. NICHOLLS."

"A STATEMENT OF THE MATERIAL FACTS OF A CONVERSATION HAD WITH JOSEPH E. BROWN ON THE 9TH INSTANT.

"I said: 'I call on you in behalf of Gen. Toombs to ascertain if you are responsible, in the way usual among gentlemen, for the language contained in your card of a recent date?'

"He replied, 'I am responsible for my language.'

"I then said, 'Gen. Toombs desires to know if you will give him satisfaction under the code. If he should address a note to you demanding a meeting, will you meet him in the usual way?'

"I explained that, whilst the inquiry was perhaps made in an informal manner, yet it was thought to be warranted by his well known position in the church. To this he bowed assent and answered:

"'If Gen. Toombs addresses me a note, I will consult with a friend, and then reply to it. I will answer your inquiry when he submits it in writing.' He declined to answer the question more directly.

"In my opinion, from the language and manner of Gov. Brown, he will decline to answer the inquiry in the affirmative, if submitted by you in writing. I am impressed with the conviction that it is his purpose to use a formal call, to your injury, under the constitution of this State.

[Signed] "JNO. C. NICHOLLS.

"TO GEN. ROBERT TOOMBS."

To this Gov Brown made the following reply, concluding this episode,

which excited a profound interest at the time and a large amount of discussion:

"TO THE PUBLIC.

"ATLANTA, GA., July 20, 1872.

"*Editors Constitution:* I have read the card of Col. Nicholls, published in your paper yesterday. Between him and myself there seems to be a conflict of memory as to the verbiage and purport of the interview. But General Toombs cannot shield his poltroonery in that way, for he could not mistake the language over my own signature, sent him by express, and doubtless received by him, before he penned his last card, published five days afterwards.

"Col. Nicholls, in his card, referring to my own of the previous day, says, 'Gov. Brown states that he was advised to see me, and have me to agree in writing what occurred.' This statement nowhere appears in my published card, but it does appear in a memorandum appended to my version of the interview, which was sent to Gen. Toombs by express. The proof is conclusive, therefore, that my written statement was received by Gen. Toombs.

"The verbal report of a conversation would never be the guide to a proud brave man as to what his honor demanded, when he had in writing before him, the pledge that he would receive, if he called for it, the satisfaction due a gentleman.

"JOSEPH E. BROWN."

Very fortunately a meeting did not take place, and two very valuable lives were spared, while the State was saved the spectacle of two venerable and distinguished Statesmen in a life-and death encounter. Col. Nicholls erred in supposing that Gov. Brown did not mean to go to the field. And the public universally credited to Gov. Brown the firm purpose to fight.

Commenting upon this matter, "H. W G.," in an exceedingly clever sketch of these "two masterful men," as he felicitously calls them, thus speculated on the result of a meeting:

"While I join with all good men in rejoicing that this duel was arrested, I confess that I have been wicked enough to speculate on its probable result—had it occurred. In the first place, Gen. Toombs made no preparation for the duel. He went along in his careless and kingly way, trusting, presumably, to luck and a quick shot. Gov. Brown, on the contrary, made the most careful and deliberate preparation. He made his will, put his estate in order, and then clipped all the trees in his orchard practicing with the pistol. Had the duel come off—which fortunately it did not—Gen. Toombs would have fired with his usual magnificence and his usual disregard of rule. I do not mean to imply that he would not have hit Gov. Brown; on the contrary, he might have perforated him in a dozen places at once. But one thing is sure—Gov. Brown would have clasped his long white fingers around the pistol butt, adjusted it to his gray eye and sent his bullet within the eighth of an inch of the place he had selected. I should not be surprised if he drew a diagram of Gen. Toombs, and marked off with square and compass the exact spot he wanted to hit."

Gen. Toombs had made grave charges in his card against the parties

connected with the compromise of the case between the state and the Mitchell heirs, which Gov. Brown was not willing to rest under without a statement of the facts in refutation of the charges. He was, however, advised by his friend, Col. Gardner, that he could not address any further communication to Gen. Toombs on the subject, but that he could with propriety address a communication to the public, giving all the important facts in the case. He then addressed to the editor of the *Constitution*, the writer then filling that position, the following publication, which is given to complete the record of this noted controversy that filled at that time so large a share of public thought:

"ATLANTA, GA., August 5, 1872.

"*Editor Constitution:*

"I noticed, a few days since, an abstract in your editorial of the evidence taken before the Committee appointed by the General Assembly, known as the 'Bullock Committee,' in which reference is made to the property in Atlanta, known as the Mitchell property, or park, in front of the Kimball House. It seems some testimony was taken before the Committee, which led them to conclude that there had been fraud, or improper influence in the settlement of the case, between the heirs of Mitchell and the State of Georgia.

"As I was one of the original counsel who brought the action for the recovery of this property; and of the portion then held by the city of Atlanta; and as I and my partner, Messrs. E. Waitzfelder & Co., of New York, purchased over $50,000 worth of the property at the sale, after the compromise had been made, and paid that amount in cash; and as we are now constructing a building on a portion of it, at a cost of about $27,000, I feel that my interest is such as to justify me in taking some notice of anything that relates to the title of the property.

"I was applied to, while practicing law with Judge Pope, prior to the time when I went upon the Supreme Bench, to bring suit in behalf of the heirs of Mitchell for the recovery, not only of the park property, lying between the passenger shed and Decatur street, but also of the property lying between the passenger shed and Alabama street, on the other side, running from Lloyd street up to Whitehall.

"Of this property, the square of five acres, bounded by Alabama, Decatur, Lloyd and Pryor streets, was originally conveyed by Samuel Mitchell to the State of Georgia, 'for placing thereon the necessary buildings which may hereafter be required for public purposes at the terminus of the State Road.' In the same deed Mitchell conveyed, for the use and purposes of said road, a space in breadth wide enough to answer for a right of way for the road, to be designated by the engineer for said purpose, through his lot, with the privilege of taking and using timber, stone and gravel, being on said space, necessary for the construction of said road. In other words, he conveyed to the State a right of way through his lot, upon which to locate the Western and Atlantic Railroad, with five acres at its terminus, for a location of the buildings required for public purposes at its terminus. Some time thereafter Mitchell also conveyed to the Macon and Western Railroad the land bounded as it now is, by Alabama, Whitehall and Pryor streets on three sides, and the Western and Atlantic Railroad, or its right of way, on the fourth, (except the corner that had been sold off, and which is now occupied as James' bank building and contignous buildings,) which he conveyed to said road for railroad purposes *exclusively*. The state located, in connection with the railroad companies,

the general passenger shed, upon the portion of the land granted to her, and also located the road upon the right of way through Mitchell's lot to said car shed, and also located such buildings as were, at the time, thought necessary upon other portions of the five acres,

"Subsequently it was ascertained that the location where the park now is, was not well suited for purposes of the road, and that it had no special use for the portion of ground lying between the car shed and Alabama street, and a contract was made between the State, represented by the proper officer of the Western and Atlantic Railroad, and the Macon and Western Railroad, by which the State swapped to the Macon and Western R. R. the portion of land conveyed to her by Mitchell, lying south of the car shed down to Alabama street, for a piece of land belonging to the Macon and Western Railroad, where the present freight depot, platforms, etc., of the Western and Atlantic Railroad now stand. And the Western and Atlantic Railroad has located upon the piece of ground which it received from the Macon and Western Railroad in exchange for the portion of land conveyed by Mitchell to the State, its depot, platforms, etc, so that the State got for the portion of land conveyed by Mitchell the land upon which her depot, platforms, etc., now stand. She also got a location for a passenger shed, and for all tracks necessary for the working of the road.

"After the swap between the Macon and Western Railroad and the Western and Atlantic Railroad, by which the Western and Atlantic Railroad got the land she needed for her depot, the Macon and Western Railroad located its depot upon the land which it received from the State in exchange, and upon the land conveyed to it by Mitchell.

"In 1859, the State having no further use for the Park property for any railroad purpose, an act was passed by the General Assembly, authorizing the city of Atlanta to enclose and beautify it as a park. Thus the matter stood at the close of the war, when it was found that the freight depot, tracks, and probably turn-table of the Macon and Western Railroad, located on the Mitchell property, near the car-shed, obstructed Pryor street, and was a great nuisance to the city, if rebuilt, and kept up there; and it was agreed between the City and the Macon and Western Railroad that they would exchange lands, and in carrying out that agreement the Macon and Western Railroad conveyed, by *quit claim* (for she would not give a warranty), the portion of the land of the Mitchell property, which the State had swapped to her for the lands where the Western and Atlantic Railroad Depot now stands; and the portion of land conveyed to her by the Mitchell heirs, embracing the vacant space south of the Railroad, between Decatur and Lloyd streets. The Macon and Western Railroad then moved her depot out to its present location, and thus the matter stood when the Mitchell heirs applied to me and my partner to bring suit for the property. The State had received all the benefit which she desired or could need for railroad purposes under Mitchell's grant. She had her tracks located upon the right-of-way, and she had her passenger shed upon the property, and she had her freight depot upon the land which she had received in exchange for a portion of the property; and she surely could have no further claim to the property which she had exchanged for other lands upon which to locate her depot. But she had no use whatever for the Park property, for the purpose for which it was originally conveyed to her, nor had she pretended to use it for any such purpose for some eight or ten years previous to the complaint made by the heirs.

"I refused to bring the action until I had carefully examined the authorities, which I took time to do, and satisfied my own mind very clearly, that if the law were administered, there could be no doubt of the right of the heirs to recover back not only the

property conveyed to the State, for railroad purposes, and abandoned by her for that use, but the property conveyed to the Macon and Western railroad for railroad purposes *exclusively*, and also abandoned by her for railroad purposes when she exchanged it to the city.

"After a careful examination of the authorities, I advised the heirs that in my opinion, they had a right to recover, and the firm of Brown & Pope was employed to bring the action, with the understanding that we associate Judge Pittman, and Col. Bleckley, Mr. Dougherty or Mr. Hill with us. We did afterwards associate Judge Pittman and Col. Bleckley, and the action was commenced.

"I predicated my opinion as to the rights of the heirs, upon the fact that the property had been conveyed by their father for a specific and particular use, and for no other use, and when the State and the Macon and Western Railroad Company found that they no longer needed the property for that use, and abandoned it, that it reverted to the donor; upon the principle that if I convey land to a religious congregation for the purpose of erecting a church upon it, and for no other purpose, and the congregation should abandon it for that purpose, and sell it to A. B. who locates a doggery upon it, this would be in violation of the contract under which the congregation held the property, and it would revert to me as the donor. Or, take the very case itself, suppose after Mitchell had made the conveyance to the State of Georgia, giving the right of way through his lot, and five acres at the end of it for a location for the necessary buildings, &c., the engineer of the road had changed its location entirely and had run it to another *terminus*, not touching Mitchell's lot, and had never used it for railroad purposes. Would it be contended that the State would have a good title to the property? Surely not. Then suppose after its location upon Mitchell's land, it had been kept there for five years and for some good reason the Road's location had been changed and thrown entirely off the lot, why would it not, in law, equity and justice have reverted to Mitchell, on the ground of its entire abandonment for the purposes of the grant? If so, and the State used all she needed of it for railroad purposes and swapped a portion that she did not need for the proper location of her necessary buildings elsewhere, and abandoned another portion that she did not need for the purpose of the grant and turned it over to the city for a park, why, upon the same principle would it not revert to the donor or his heirs? I might give very numerous cases from the books sustaining this doctrine which is founded not only in sound law, but in the broad principle of natural equity; but I will not enlarge upon this point.

"Thus the matter stood, pending the litigation, when I went upon the Supreme Bench, and I turned over the case, and subsequently the obligation for the fees, so far as I was concerned, to Judge Lochrane, who was then practicing law, and under it, he represented me. And while I was upon the Bench, the heirs of Mitchell becoming impatient with the delay of a long, tedious litigation, and being broken up by the war, and as I am informed, very poor, after having conferred together, concluded to apply to the Legislature to order the re-conveyance of the Park property, the portion which the State did not need for railroad purposes, to them, as an act of justice; and a memorial was brought before the General Assembly asking a re-conveyance. This was met by the determined opposition of Gov. Bullock and Col. Hulbert, the then superintendent of the road, who went so far as to break the park fence and run a short track out into the park and locate a few cars to stand there to re-possess the property for railroad purposes, though all could see at once, that this was simply intended to make the appearance of railroad use, when it was not in fact needed for any such purpose. The case was brought before

the General Assembly and referred to a special committee of five from the Senate and nine from the House, composed of a majority of Democrats from each house, with a Democratic Chairman from each.

"The superintendent of the road, who actively opposed the re-conveyance to the heirs, appeared before the committee as the Journals show, and submitted evidence against the proposed re-conveyance. Having considered the question, the committee, through their Democratic Chairman in each House, submitted a unanimous report in the following language:

"'The committee to whom was recommitted the claim, of the heirs of Samuel Mitchell, after having had the same under consideration, with the facts for and against the claim, unanimously recommended the passage of the bill now before the Senate, reconveying the property claimed.' The bill came up on its passage in the Senate and was defeated by two majority. Next morning a motion was made to reconsider it and lost by one majority. On the final vote it stood for and against the heirs, as follows: Democrats, for, 10; Republicans, for, 8; Democrats, against, 7; Republicans, against, 12. So that a committee composed of a majority of Democrats, with a Democrat as Chairman from each House, unanimously recommended the reconveyance of the park property to the Mitchell heirs without a dollar of compensation, and they were sustained in the Senate by a majority of Democrats voting for it, while the majority of Republicans voted against it.

"After this action, the heirs of Mitchell through their counsel, proposed a compromise to the City Council for the portion of land held and claimed by them under the conveyance from the Macon and Western railroad, for which suit had been brought. The matter was very thoroughly canvassed, and the compromise was finally agreed upon, by which the heirs conveyed to the city the portion of land lying between Pryor street and Whitehall, which was included in the grant from Mitchell to the Macon and Western road, and one hundred feet along the side of Pryor street, fronting on Alabama street, of the property originally conveyed by Mitchell to the State, and by the State conveyed to the Macon and Western road, and by that road to the city. And the city agreed to convey to the Mitchell heirs the balance of the property which had been originally conveyed to the State, and by her conveyed as aforesaid, from the line of said one hundred feet down to Lloyd street, being the property between the present passenger shed and Alabama street, extending to Lloyd street.

"In the meantime, prior to the compromise between the heirs and the city, the Superintendent of the Western and Atlantic railroad, with the assent of the Governor and the other railroad companies interested, had located the new passenger shed, and had gone forward with the construction of it until there had been probably more than $100,000 expended. This new passenger shed was not placed upon the original location of the shed which existed prior to the war, but for the convenience of the roads, in running the tracks into it, it was so located that about one-fourth of it was upon the land originally conveyed by Mitchell to the State, and afterwards conveyed by the State to the Macon and Western road, and subsequently conveyed by the Macon and Western road to the city, and which the city had agreed to convey to the Mitchell heirs, but to which she did not make a deed until after the compromise with the State, though a contract of compromise had been agreed on between the heirs and the city.

"Pending these transactions the counsel for the Mitchell heirs mentioned to me that they had determined to propose a compromise to the State in reference to the park property. I inquired into the then *status* of that matter, and was informed that some

time in the previous spring Mr. Kimball had concluded to purchase all the conflicting titles to the property, and had made a contract with the heirs to purchase their right, and had taken a deed from them and paid them some money; intending also to purchase the State's right, whatever it might be, and the part to which counsel might be entitled under their contract with the Mitchell heirs. But finding difficulties in extinguishing all the outstanding titles, he soon after re-conveyed it to the heirs and subsequently, by a contract between him and them, became their agent to take charge of the matter, and effect, if possible, a compromise with the State, which he was then attempting to accomplish. And he desired the aid of their counsel in its consummation. I asked what it was proposed the heirs should pay the State for her claim to the land, and was informed that they proposed to pay the Western and Atlantic railroad $35,000 toward the construction of the new depot. My opinion was, at the time, that this was more than the heirs ought to pay. I regarded their's as the better title, and said if it were my case I would never consent to pay $35,000 for a compromise with the State. But it was insisted that the heirs were anxious to realize as much as possible, and that they did not wish to wait for an almost interminable litigation, and that they preferred that course. I made no further objection and the matter was brought before the Legislature, I think, by a memorial prepared by their counsel; but Mr. Kimball, who was their agent under the contract with them, had the active management of the matter. After the case was submitted, I felt an interest in their success, because I believed their claim a just one, and while I took no very active part in the matter, when approached on the subject, I always said I believed their proposition was a liberal one, and that the State ought not to hesitate to accept it.

"I felt fully justified in saying this much, for the reason that I was the original counsel consulted in the case, and they seemed to have relied much upon my judgment, and though I was upon the bench, under the laws of the State, I could in no event preside in the case, and therefore felt at perfect liberty, so far as the case was concerned, to confer with the heirs or their counsel in refereuce to their case, and to give them any advice which, in my judgment, would promote their interest. But I know of no unfair or illegal means used by any one to carry the bill through the Legislature.

"A proposition was submitted by Gen. Austell and others to give $100,000 for a quit-claim title to the property. It was my opinion at the time, and the opinion of counsel for the Mitchells, that this proposition was not intended in good faith, but it was only thrown in to embarrass the settlement between the heirs and the State—as Austell owned property fronting the park and wished it kept open. It was submitted in such a shape that I was satisfied the parties could not be compelled to carry it out if the compromise had failed between the State and the heirs.

"But I was equally well satisfied, if it was made in good faith, that, in a pecuniary point of view, it was the interest of the State to accept the proposition of the heirs and reject that of Austell and his associates, for the following reasons: First, there could be no question about it that the land upon which one-fourth of the passenger shed, a very extensive structure, as already stated, which cost about $150,000 at the time of its completion, stood upon the land which the State had conveyed away to the Macon and Western railroad, and which, in the compromise between the city and heirs, was then controlled by the heirs, and if the compromise had not been made with the State there could have been no question as to that part of it, that the State could have been ejected from it, as she had previously sold it for other land for the location of her depot—which

would have compelled the removal of the entire car shed. This would have been at a very heavy loss and expense to the State.

"In addition to this, I think there is no room for doubt, even if I am wrong as to the right of the Mitchell heirs to recover back the park property from the State, on account of her having abandoned it for railroad purposes, that they did have the right, holding that provision of the deed to be a covenant and not a condition, to restrain the State or her vendee by an action of covenant, or other proper proceeding, from using it for any other purpose than for the original purposes of the grant, to-wit: railroad purposes. And if the State could, in no case, use it for any other purpose, Austell and his companions, as grantees of the State, standing in her shoes, would be bound by the like covenant, and they too could he restrained from making any other use of it.

The decision of the Supreme Court of the State of Georgia, in the case of Thornton vs. Trammell, 39 Ga., 202, where a question arose upon a grant made to the Western and Atlantic railroad, in the city of Dalton, for the location of a depot—though the language of the deed was different from that made by Mitchell—held, that it did not contain a condition, and that the grantor could not recover it back; but the Supreme Court, Warner, J. delivering the opinion, recognizes fully the right of the grantor to enforce the covenant contained in the deed. Numerous authorities might be quoted to sustain this doctrine, that where a conveyance is made for a specific purpose, and the language of the deed is not such as to make a condition subsequent, the party conveying may, by action of covenant, restrain the grantee from violating the contract and appropriating it to other uses.

"What then would have been the result if the proposition of Austell & Company had been accepted? Suppose we admit for the argument that the heirs had no right to recover the property back. It was very clear that they had the right to restrain the use of it for any other purpose than railroad purposes; and it was so situated, that it could not be of any use for railroad purposes. The result must therefore have been that the property would have remained unimproved, and the State, the County, and the city must have lost the taxes which they will perpetually receive from it when it is built up. As the result of the compromise, already, the city has sold off a small portion of the property conveyed to her by the heirs, to John H. James, who has expended in the purchase and the erection of a building upon it, about $75,000. And upon the park property there has been expended, in buildings, largely over a hundred thousand dollars. There are, therefore, over $200,000 of improvements already placed upon the property, as the result of the compromise, upon which the taxes are annually paid to the city, county and State; and when all the balance of the property is built up, including the portion to which the city's title was quieted, and the portion to which the title of the heirs is quieted, there will probably be a million of dollars' worth of improvements to be taxed annually. In a few years this will pay the difference between the $35.000 proposed by the heirs, and the $100,000 proposed by Austell & Co. And after the difference is made up, the property will remain perpetually subject to taxation, and will in the end pay to the State many times the difference. Therefore, in a pecuniary point of view alone, the proposition made by the heirs of Mitchell was much the better one for the State, and was so regarded by intelligent members of the General Assembly.

"But in addition to this, the heirs agreed to convey to the State all the portion of the property necessary for a passenger shed, including the part formerly sold by the State to the Macon and Western Railroad, and to which she had not a shadow of title,

thereby quieting the title to the depot or passenger shed, including the part of it to which no one can contend she had a right prior to the compromise. She has, therefore, in addition to her large income from increased taxes, saved the expense of a lawsuit and the necessity of removing the depot off the land owned by the heirs, or of delivering it up to them; and the whole matter is amicably adjusted.

"But suppose the quieting of the title to the depot building, and the taxes on the improvements made and to be made upon the property had not even equaled the $65,000 difference between the two propositions, should not an enlightened and liberal Legislature have justly concluded, as the Democrats did at the former session of the same Legislature, that, as the father of these heirs has given the State all she needed for railroad purposes, including the right of way through his land, and the location for a passenger shed, and the property which she had swapped for the present site of her freight buildings, and the State had no sort of use for the balance of it for the purpose intended by the donor, and his heirs were left poor, that it was magnanimous and proper to return the balance, not needed, to them, as an act of justice and propriety, without regard to the pecuniary bid that venal speculators might have thought proper to interpose in the way of such an act of justice and magnanimity. This was the view, as already stated, which the majority of the Democrats had taken at the previous session. And if they then thought it just to return it without compensation, surely it is no evidence of bad faith in them and their associates, at a subsequent session, to agree to re-convey it for the sum of $35,000. They might well have made that discrimination in favor of the heirs of him who had donated to the State property that is now worth a very large sum, and which is in daily use by the Western and Atlantic Railroad, when all must admit the portion returned had been abandoned, so far as the purposes of the grant are concerned, by the donee.

"The above statement gives the substantial facts, so far as they interest the public, in the case of the compromise between the State and the Mitchell heirs, and will, I trust, satisfy all unprejudiced minds, that, so far as I or the other counsel are concerned, we have done them no injustice, but have conferred upon them a substantial and valuable benefit. So far as the State is concerned, she has received, as a donation from Mitchell, all the land she needed for the original purposes of the grant, and, in addition to that, has received the further donation of $35,000, in cash, towards the construction of the passenger depot, while she has surrendered only the portion of the property for which she had no earthly use, for the purposes contemplated, either by her or Mitchell, at the time of the conveyance. It is clear, therefore, that the injustice and wrong which have been charged in this transaction, exist only in the diseased imagination of persons controlled by passion, prejudice and vindictiveness towards the parties at interest.

"JOSEPH E. BROWN."

It is not inappropriate to say, that in nothing has there been a more striking change in popular sentiment than in the general condemnation of dueling that now prevails. There has grown up steadily a strong public opinion against this practice, and a man of character and family can refuse to accept the arbitrament of the Code without loss of standing, as was the case years ago.

Many changes took place in the State government. Col. H. P. Farrow resigned as Attorney General. Col. N. J. Hammond, Supreme

Horace Warner

Court reporter, was appointed Attorney General. Captain Henry Jackson resigned from the Legislature and became Reporter of the Supreme Court, a position which he continues to fill with marked industry and ability. Both Gen. Hood, in his "Advance and Retreat," and Jefferson Davis on page 340 of vol. 2, of his "Rise and Fall of the Confederacy," relate a unique incident of Henry Jackson at the battle of Sharpsburg, not giving his name, which we supply. Gen. Lawton was commanding Ewell's Division, September 17, 1862, and had relieved Hood's Division in Stonewall Jackson's line. The Federals made a desperate endeavor to break through; corps after corps were hurled against the heroic division. Gen. Lawton sent his only remaining staff officer, Lieutenant Henry Jackson, then a youth of seventeen, to Gen. Hood for assistance. It was a curious and typical demonstration of the polite chivalry of our Southern boys, that in this grim strife Lt. Jackson dashed up to Gen. Hood, saying, "Gen Lawton *sends his compliments* with the request that you come at once to his support." Lt. Jackson conducted Hood's division to its place, Gen. Lawton and his horse were shot down, and the gallant and ceremonious aid had his General borne from the field, though several men were struck in so doing. Chief Justice Lochrane resigned from the Supreme Bench, and Gov. Smith appointed Associate Justice Hiram Warner as Chief Justice, January 19, 1872, and filled the vacancy made by the promotion of Judge Warner, by the appointment of Judge W W Montgomery, February 8, 1872. Gov. Smith appointed Professor J. G. Orr, State School Commissioner. This was a most admirable selection. A gentleman of erudition, energy, sleepless zeal, crystal purity and integrity and fine organizing capacity, Mr. Orr has in the nine years of his continuing incumbency seen the Public School system flourish and grow under his able direction, until its former unpopularity has been wholly changed and its sterling benefits are everywhere admitted.

Gov. Smith offered the place of Attorney General to Col. P W Alexander, but that gentleman declined it, and became, as a Secretary of the Executive Department, Chief of his civil staff, a place he filled with tact and ability. Gov. Smith selected as the additional Secretary of the Executive Department, Major James W Warren, who was also continued in the same responsible position by Gov. Colquitt, and has served continuously for ten years. Major Warren was editor of the Columbus *Times*. One of the most vigorous and polished writers in the State, industrious, accurate, reliable, possessing a charming geniality of nature, and a quiet rich humor, Major Warren has discharged the delicate and responsible duties of his position with grace and ability.

The legislature elected Hon. Thomas M. Norwood, United States Senator. Mr. Norwood presented his credentials to the Senate on the 4th day of December, 1871, and on the 19th day of December he was admitted to his seat, and the final blow given to the Senatorial hopes of Foster Blodgett.

The legislature had many vital questions before it, but the most important was the bond matter. Senator Thomas J. Simmons and Representative John I. Hall, both introduced bond bills, and finally a measure was passed that required the registration of all bonds to sift out the bad from the good, under a temporary suspension of interest. A bond committee was appointed, consisting of Thomas J. Simmons, John I. Hall and Gamett McMillan, to conduct this bond investigation. The committee gave public notice, December 12, 1871, and began its sittings in Atlanta, March 1, 1872, holding session until May 1, 1872. The committee visited New York and held an extended session there. Voluminous depositions were taken in Europe. An attempt was made to get Gov. Bullock before the committee. The papers contained a paragraph narrating an alleged joke of his, that he had received two invitations to meet the Bond Committee and Col. Cumming with his requisition, that he could not visit both, and rather than offend either by accepting the other's invitation, he would do the kind thing and see neither.

Col. C. C. Kibbee gave valuable assistance in the investigations of our bond troubles. A gentleman of public spirit, a lawyer of ability and discrimination, and a legislator of uncommon qualifications, careful, searching and devoted to the public interest, Col. Kibbee made an enviable reputation in the General Assembly. Col. Thomas L. Snead was of great aid to our bond committees, and opened up a vein of information that would have probably been inaccessible but for him. Every obstacle was thrown in the way of the committee in New York. It was afterwards discovered that they were tracked day and night by skilled detectives employed by the bond-holders to watch and trap them. Attempts were made to drive them into complaisance. And it was a right creditable fact that this body of gentlemen, unaccustomed to the seductions and tricks of the metropolis, should have carried through their difficult mission so successfully and in such skillful avoidance of the perils set for them.

The committee investigated fully and made an unusually able report. The following table covers their statement of the bonded liability of Georgia, showing the increase under the Bullock rule to have been over TWELVE MILLIONS of dollars.

T. M. Norwood

Consolidated Statement of the Public Debt of Georgia, (including endorsed bonds of this State,) on the first day of November, 1871, showing date of issue and maturity of bonds.

When Issued.	When Due.	Amount.
1841 and 1866	1871	$ 154,500
1842 and 1852	1872	730,000
1842 and 1843	1873	137,000
1844 and 1848	1874	251,500
1858	1878	100,000
1859	1879	200,000
1860	1880	200,000
1861	1881	100,000
1866	1886	3,764,000
1867	1887	165,000
1868	1888	268,000
1870	1890 and 1894	6,380,000
Grand Total of State Bonds		$12,450,000
INDORSED BONDS, INDORSED SINCE JULY, 1868.		
To Brunswick & Albany Railroad		$3,300,000
To Bainbridge, Cuthbert & Columbus Railroad		600,000
To Macon and Brunswick Railroad		600,000
To Cherokee Railroad		300,000
To Cartersville & Van Wert Railroad		275,000
To South Georgia & Florida Railroad		464,000
To Alabama & Chattanooga Railroad		194,000
Grand Total Indorsed Bonds		$5,733,000
Grand Total State Bonds		12,450,000
Grand Total State Bonds and Indorsed Bonds		$18,183,000

The committee reported in favor of declining to recognize the illegal bonds. The report elicited a full and able discussion. The truth is, that the Georgia bond issue became a national question. The holders of the illegal bonds made every effort to stem and prevent the condemnation of their securities. The Northern press teemed with articles. The incorrect brand of "repudiation" was applied to the proposed action and the State threatened with utter destruction of her credit. The distinction between the "repudiation" of an honest debt and the refusal to recognize an illegal claim, was purposely confused. Perhaps the strongest speech made in favor of throwing over the fraudulent securities was by the Hon. A. O. Bacon. His portrayal of the Bullock Legislature was a very graphic picture, and his argument against the bad bonds was masterly and conclusive.

The Legislature declared the following bonds to be void:

Gold Bonds in Clews' hands,	$102,000
Gold Bonds, second issue to B. & A. R. R.,	1,880,000
Currency Bonds,	1,500,000

Endorsement B. & A. R. R.,	$3,300,000
Endorsement Bainbridge C. & C R. R.,	600,000
Endorsement Cartersville & Van Wert R. R.,	275,000
Endorsement Cherokee R. R.,	300,000
	$7,957,000

The bond question was still agitated. The new Legislature of 1873 tackled the subject again. Of this body Hon L. N. Trammell was elected President of the Senate, and Hon. A. O. Bacon Speaker of the House. Among the new Senators were Joseph A. Blance, John W Wofford, W H. Payne, J. G. Cain, J. M. Arnow, W A. Harris, S. J. Winn and H. W Mattox. In the House were J. J. Turnbull, C. A. Nutting, J. H. Hunter, J. B. Jones, G. A. Mercer, Henry H. Carlton, W D. Anderson, E. F Hoge, Clark Howell, W F Calhoun, George F. Pierce, Patrick Walsh, J. C. Dell, Allen Fort, F M. Longley, J. C. Clements, H. D. McDaniel, C. S. Du Bose.

Mr. Nutting was the author of the bill for the issue of the twelve hundred thousand of eight per cent. bonds. Mr. G. A. Mercer was an able young lawyer of Savannah, and ayoung man of an unusually clear mind and smooth elocution. Dr. Henry H. Carlton was the author of the bill establishing the Geological Bureau, one of the most valuable measures of the century. He was a strikingly handsome gentleman, and a forcible and ornate speaker. Hon. Patrick Walsh was, and still is, the editor and proprietor of the Augusta *Chronicle and Sentinel*, now the *Chronicle and Constitutionalist.* This was the first appearance in public life of Mr. Walsh, who will be a very large figure in Georgia politics, and to whom further reference will be made hereafter. Allen Fort took immediate stand as a young man of mark. F M. Longley has been judge of the Superior Court, and is a solid young lawyer. J. C. Clement became Senator, and is now a member of Congress, with as much promise of usefulness as any young man in the State. H. D. McDaniel has been repeatedly sent to the Senate since, and has meritedly earned a reputation for substantial judgment and integrity.

Col. Thos. L. Snead of New York came before this General Assembly with the following Bond compromise :

"The proposition which I have submitted to the Governor, on the part of certain holders of Georgia bonds, is simply this :

If the State will agree to pay to the holders of the State bonds which have been declared null and void, the sums which these holders have, actually, and in perfect good faith advanced upon or paid for these bonds (that is to say, about $1,500,000 and interest), these parties will guarantee that such action of the State will completely re-establish

the credit of Georgia, and enable it to borrow, at seven per cent. per year, all the money which it may need.

They also desire that the Legislature shall declare the readiness of the State to carry out its promises as to the indorsement of the first mortgage bonds of the Brunswick and Albany Railroad Company and the Cherokee Valley Railroad Company, so far, and only so far, as the State is now constitutionally and lawfully bound by such promises; when these companies shall have complied with all of the requirements of the Constitution and laws of Georgia, and shall have also completed their respective roads.

If the State accepts this proposition, it will have to issue about $1,600,000 seven per cent., currency bonds to the holders of the outstanding gold and currency bonds, who undertake to thereupon return to the Treasurer for cancellation—

$1,880,000 gold bonds and interest, equivalent to	$2,450,000
Currency bonds	1,500,000
Guaranteed bonds of the Bainbridge, Cuthbert and Columbus Railroad	600,000
Guaranteed bonds of the Cherokee Valley Railroad	300,000
Guaranteed bonds of the Cartersville and Van Wert Railroad	275,000
Guaranteed bonds of the Brunswick and Albany Railroad	3,300,000
	$8,425,000

Which includes *every bond* that has been declared null and void.

This proposition is made on the part of banks and capitalists, who own more of the valid bonds of Georgia than of its discredited—one of them alone (Mr. Russell Sage) holding over $1,000,000 of good and acknowledged bonds, while he owns only $50,000 of those which have been declared null and void.

In this matter I represent the foreign as well as the American bond-holders, and am authorized to express the acquiescence of the holders of any one of the discredited bonds in the proposed settlement.

THOMAS L. SNEAD, *Agent of the Bond-holders.*

ATLANTA, February 12, 1873."

This proposition was fully agitated and discussed. It created a deep interest and was presented to the public sense in every possible aspect. The editors of the Atlanta *Constitution*, E. Y Clarke and I. W Avery, addressed a circular letter to the leading men of the State asking their views on this matter. The responses made an interesting and vivid series of letters, presenting the important subject from every possible point of view. Ex-Gov. J. E. Brown, Major Campbell Wallace, Col. James Gardner, Col. John Screven, T. P Branch, Col. George Hazlehurst, Senator T. M. Norwood, Judge David Irwin and Hon. John E. Ward advocated compromise in some shape. Gen. H. L. Benning, Gen. R. Toombs, John H. James, Wm. H. Hull, Ben H. Hill, Col. Wm. M. Wadley, and Herbert Fielder opposed any compromise. Politicians, lawyers, bankers, railroaders and business men were thus consulted and gave a remarkable variety of opinion. Lawyers Brown, Norwood, Irwin and Ward were in conflict with lawyers Toombs, Benning, Hill

and Fielder. Railroaders Wallace, Screven and Hazlehurst differed with railroader Wadley. Banker Branch opposed Banker James.

Mr. Hill took the novel and daring position that none of the Bullock bonds were valid because the Bullock government was the creature of Federal authority and had no right to bind the State, and the United States government should pay these Bullock claims. If, however, the Bullock rule was recognized as valid, then the claims of innocent holders of these bonds should be recognized. The State ought to have referred the holders of the Bullock securities to the Federal government, and helped them push the claim.

Mr. W H. Hull thought the void bonds should not be paid. He had tried to buy new State sevens in New York, and could not get them for less than ninety cents. The bonds were null, and the State's credit was not affected. Col. Wadley endorsed Mr. Hull's views. Maj. C. Wallace urged the compromise. The bond trouble was affecting the State's credit and all private enterprises.

Gov. Brown's letter was an exhaustive review of the whole subject, covering its legal and business features. His idea was that the equities of these bonds should be recognized. Some of them were good, and where the State had received the benefit of the money invested in them, the right thing was to assume the obligation. And he urged that the courts should be opened to test the matter.

Gen. Benning declared the only question to be whether the State's credit was affected injuriously. Our credit was not hurt. As for borrowing money he did not wish the State to do it. Col. Gardner had first opposed the bond compromise, but upon investigation changed his mind. Bullock was de facto Governor, and the State's agent. The State must stand up to the acts of its agent so far as the innocent bondholders had an equitable consideration. The State had enjoyed increase of property through these enterprises, and should pay for it.

Gen. Toombs contended that all of these bonds lacked the vitality of popular consent, and were not in conformity with law or constitution. The public credit was undoubtedly injured some. The bonds would be a constant source of lobby agitation. His idea was to stand by the law, and make a new constitution killing the bonds and stopping lobbying for them. John H. James declared it untrue that the State's credit was hurt. Georgia bonds were selling well. He had tried to buy some at 87 1-2 cents and could not. There was no use for the State to give away this money and add to the taxation.

Senator T M. Norwood thought that all money actually loaned the

State should be refunded. He did not think the State's credit injured, though the bond-holders were trying to hurt it to force a compromise. He advised delaying action. Herbert Fielder thought if the innocent holders of Confederate war bonds could stand it to lose, the holders of the Bullock fraudulent bonds deserved no more consideration. The bonds were clearly illegal and should not be paid. We had to bear the consequences of a bad government. T. P Branch thought that every practical enterprise was injured by this bond complication. He favored making the compromise and paying it by taxation.

Judge David Irwin's letter attracted much attention. He urged that the matter should not be closed without an investigation, and the void bonds should be rejected, but all just equities should be recognized according to the facts. Hon. John E. Ward said there were two difficulties. The State should not act under any menace to her credit, and a general compromise like the one offered recognized the bad as well as the good claims. The just course was for the State to give parties a chance to show just what their equities are.

The press of the State were equally divided with perhaps a small majority against the compromise. The writer took the position that while the bond committee had investigated the legality of the bonds, it had not examined into the equities, and they should not be condemned without an investigation. There were Brunswick and Albany Railroad bonds that had been signed by Treasurer Angier, who opposed Gov. Bullock's irregularities, and these bonds had been sent to Europe and negotiated in Germany at a good value. There seemed to be a valid equity in such bonds as these. The legislature would do nothing with this compromise. In 1877 the constitutional convention carried out Gen. Toombs' idea, and incorporated in the constitution a prohibition against the fraudulent bonds and a clause against lobbying.

Judge O. A. Lochrane, in 1872, was the attorney for some two millions of the rejected bonds, and made a strong effort to get them paid. He is still hammering away upon it, and the last move is said to be an amendment to the Federal Constitution, to allow States to be sued for such obligations. The State has never suffered by her bond action, and her securities stand the peers of any in the civilized world.

This General Assembly re-districted the State under the new apportionment of representation in the Congress of the United States resulting from the census of 1870. Georgia gained one Representative in the Federal Congress, and the State, which had been divided into eight, was cut up into nine districts. An interesting incident occurred in con-

nection with the new apportionment which is a very valuable piece of underlying history, and not only demonstrates how grave public matters often have a curious personal inspiration, but also the strong esteem in which one of our most remarkable public men is held. Major E. D. Graham was chairman of the committee on apportionment. He says that Hon. Alex. H. Stephens called upon him, and in his peculiarly shrill voice requested that Taliaferro county in which he resided might be placed in the Eighth District, that he did not desire to direct the disposition of any other county, but that he wished his own county to remain in the Eighth. The concession was cheerfully granted, though it disordered the regularity of number, and brought the three northern districts in the sequence of 7—9—8. But for this, the district in which Mr. Stephens lives would have been numbered "9" in its order.

It was presumed that the distinguished Commoner, Mr. Stephens, was prompted by a natural desire to preserve the numerical designation of the district which he had made so famous. He was not then in Congress, but was elected in 1873 to fill the vacancy occasioned by the death of Ranse Wright. Taliaferro county, in 1843, was in the Seventh District, though there were then eight districts. In 1851–2 the eight districts were reorganized and Taliaferro county was placed in the Eighth District, and until the retirement of Mr. Stephens, just before the war, that district was represented by him. It was natural that he should wish to retain the familiar and honored number that he had so brilliantly illustrated. And it was a graceful compliment to his services and fame that his desire should have been respected.

CHAPTER XLIV

THE ADMINISTRATION OF GOV JAMES M. SMITH.

The Republican Revolt in 1872.—Horace Greeley.—Alexander Stephens and the Constitution.—Delegates to Baltimore.—The Greeley Electoral Ticket.—Stephens' Straight Fight.—The Land Scrip Fund.—The Georgia Memorial Association.—The State Geologist.—Department of Agriculture.—Judge J. T. Henderson.—Great Western Canal.—John B. Gordon elected United States Senator.—A Lively Battle of the Ballots.—A. H. Stephens for Congress.—The Great Seal and ex-Gov. C. J. Jenkins.—A Beautiful Incident.—Gov. Smith's Administration.—His Misunderstandings.—Jack Jones and his Painful Episode.—The Double Bond Payment.—John W Renfroe.—His Fine Administration.—A Controversy.—Dr. W H. White.—New Congressmen.—Hon. B. H. Hill.—Dr. Felton and his Independent Fight in the Seventh District.—Emory Speer.

DURING the year 1872 there was a lively time in Georgia over national politics. The Liberal Republicans revolted from the Radical party and nominated Horace Greeley for President. The Northern Democracy determined to support Greeley instead of running a Democratic candidate. This policy evoked a fierce controversy in the Democratic ranks, North and South, but especially South. The Stephens brothers and Gen. Toombs opposed it bitterly. Alexander H. Stephens was editing the Atlanta *Sun*, and wrote daily against it. Linton Stephens and Gen. Toombs made strong speeches against it. Mr. Stephens declared he would not support Greeley. A stiff discussion ensued between Mr. Stephens in the *Sun* and the Atlanta *Constitution*, under the writer, which continued for months. The *Constitution* urged support of the National Democracy. A convention was called June 26th, 1872, at Atlanta, and there were 424 delegates present from 135 counties. Albert R. Lamar was made President.

Among the delegates were Gen. Toombs, B. H. Hill, A. H. Colquitt, Thomas Hardeman, Warren Akin, J. Hartridge, Linton Stephens, H. L. Benning, A. R. Wright and others. It was one of the strongest conventions ever held in Georgia. The resolutions sent delegates to the Baltimore Convention untrammeled to do the best for the party. This was a clear defeat of the Stephens policy. The delegation consisted of H. L. Benning, Julian Hartridge, A. R. Wright, T. Hardeman, C. T Goode, A. H. Colquitt, J. B. Gordon and I. W Avery from the State

at large. As the names were read out Gen. Toombs was heard to exclaim audibly—"Packed—By God."

At Baltimore Greeley was nominated, and the Cincinnati platform adopted, the Georgia delegation voting against the platform. On the 24th of July, 1872, another State Democratic Convention was held. Thomas Hardeman was made President. The convention was an immense body, having 624 delegates from 136 counties, and including all of our public leaders, nearly The resolutions endorsed the Baltimore Convention, recognizing the exigency of the times, which required the nomination of Greeley and Brown and pledging their support. The Liberal Republicans asked that Col. T. P Saffold be put on the Electoral ticket, but this was not done.

The Electoral ticket nominated consisted of Wm. T. Wofford, H. L. Benning, Washington Poe, Julian Hartridge, H. G. Turner, R. N. Ely, W J. Hudson, J. M. Pace, H. R. Casey, J. N. Dorsey, E. D. Graham. Gov. Smith was re-nominated for Governor. Judge Linton Stephens had died, and the Convention paid a noble tribute to this illustrious Georgian. The brief eulogy upon him by Geo. F. Pierce, Jr., was an exquisite bit of eloquence and taste.

Mr. Stephens fought Greeley's nomination sturdily. The clash between him and the *Constitution*, under the writer, continued to the close. He supported the Straight movement with Charles O'Conor as the Presidential candidate. A Straight Convention was called and had 57 delegates from 23 counties, which put out an O'Connor electoral ticket. The Republicans held a convention of 272 delegates from 77 counties, with John S. Bigby as chairman, which nominated Dawson A. Walker for Governor, and put out a Grant electoral ticket, composed of A. T Akerman, B. Conley, A. W Stone, J. Johnson, W B. Jones, W W Merrell, J. R. Griffin, J. F. Shine, C. D. Forsyth, G. S. Fisher and C. A. Ellington.

The election resulted as follows: Greeley 75,896; Grant 62,485; O'Connor, 3,999; total vote, 142,370. Greeley's majority over Grant, 13,411; over O'Conor, 71,895. Gov. Smith was re-elected the Executive over Walker by 58,444 majority. Gov. Brown supported Gov. Smith and voted for Greeley. The following Congressmen were elected: Morgan Rawls, R. H. Whitely, Phil. Cook, H. R. Harris, J. C. Freeman, James H. Blount, P M. B. Young, Ambrose R. Wright and H. P. Bell. Greeley was defeated for President, though he carried Georgia. He died before the day for casting the vote. There was much speculation as to how the Georgia Electoral college would vote. The electors curiously enough split up as follows:

Gen. Benning, Washington Poe and Col. Hudson voted for Greeley for President.

Gen. Wofford, Col. Hartridge, Mr. Ely, Col. Pace, Col. Dorsey and Major Graham voted for B. Gratz Brown for President.

Col. Turner and Dr. Casey voted for ex-Gov. C. J. Jenkins for President.

Gen. Benning, Mr. Poe, Col. Hudson, Dr. Casey and Col. Turner voted for Gratz Brown for Vice-President.

Col. Hartridge, Col. Pace, Col. Dorsey, Mr. Ely and Major Graham voted for Gen. Colquitt for Vice-President.

Gen. Wofford voted for Gen. N. P Banks, of Massachusetts, for Vice-President.

The new Democratic Executive Committee, appointed by Col. Hardeman, was John L. Harris, Warren Akin, Nelson Tift, J. H. Christie, J. C. Nicholls, J. H. Hunter, H. Fielder, T. M. Furlow, E. H. Worrell, J. C. Wooten, J. S. Boynton, T. G. Lawson, Augustus Reese, J. B. Jones, T. S. Morris, J. B. Estes, I. W. Avery and L. N. Trammell. Col. Hardeman was elected Chairman, and I. W Avery, Secretary.

Among matters of general interest was the Land scrip fund. By act of 1862, Congress gave each State 30,000 acres of land for every Senator and Representative. Georgia's part was 270,000 acres. The fund was to be used in endowing an agricultural college in five years. By act of 1872 further time was given. The Legislature of Georgia, in 1866, accepted the donation, and authorized the Governor to apply for, receive, and sell these lands. Gov. Conley, in his term, obtained and sold them for ninety cents per acre to Gleason F. Lewis, of the West, for $50,000 cash, and the balance in eighteen months, making $243,000 realized. Some of the States realized four and five dollars an acre. Gov. Smith had to organize the college by the 2d of July, 1872, or the land scrip would have been forfeited. Many of the cities applied for the fund. He finally gave it to the State University at Athens, instituting "The Georgia State College of Agriculture and Mechanic Arts." The interest alone can be used. The principal was invested in Georgia State bonds. The first $50,000 Gov. Smith used in buying Georgia bonds at ninety cents, thus adding $5,000 to the fund.

The Georgia Memorial Association, under charge of Mrs. Mary A. Williams and Miss Mary J. Green, had most faithfully used the $4,000 given to remove the Confederate dead. A cemetery was established at Marietta, and 2,393 bodies removed, principally from the battle

grounds of Chickamauga and New Hope Church. There are also local Confederate Cemeteries at Resaca, Atlanta and Griffin.

During Gov. Smith's administration two departments of incalculable State benefit were established. The office of State Geologist was created by Act approved February 27, 1874, and Gov. Smith appointed Dr. George Little to the place August 10, 1874. The Department of Agriculture was created by Act approved February 20, 1874, the act passing the House by the vote of Speaker Bacon, and on the 26th of August, 1874, Gov. Smith appointed Dr. Thomas P Janes State Commissioner of Agriculture. The State Geologist held office until removed by the Governor or the office was abolished, received $2,000 salary, and was allowed two assistants at $1,200 each. The sum of $10,000 yearly was appropriated, for five years. The Commissioner of Agriculture held office for four years, received $2,000 salary and was allowed a clerk at $1,200. The sum of $10,000 was appropriated for the annual expenses of the Department.

Dr. Little was an accomplished Geologist, and his work of survey proceeded vigorously. He made a large collection of minerals and woods. He had up to 1879, when the appropriation ceased, completed a survey and maps of nearly half of the State. He had developed the mineral resources of the State, inducing the investment of hundreds of thousands of dollars of foreign capital. The legislature of 1879 failed to make a further appropriation. The office was not abolished, Dr. Little is still State Geologist, but there being no money appropriated the geological survey has ceased. The wagons and surveying tools have been sold, and the magnificent collection of geological specimens is in charge of the Commissioner of Agriculture.

The Department of Agriculture was successfully established by Dr. Janes. It proved to be a great practical benefit. Its distribution of seeds, its introduction of new ideas, its valuable reports and publications, and its inspection of fertilizers preserving farmers from frauds in commercial manures, have been of large utility to the farming vocation, the basis of all of our prosperity. Dr. Janes was a zealous worker, and he accomplished much good. In 1878 he was re-appointed by Gov. Colquitt. He resigned his place in September, 1879, and on the 24th day of September, 1879, Hon. John T. Henderson was appointed by Gov. Colquitt as the Commissioner.

Mr. Henderson's administration of the office has been most brilliant. Taking the position when there was for some reason a good deal of public opposition to the Department, he has popularized it in the general

esteem. He has exhibited nerve, tact, discrimination and capacity. He had a battle with the fertilizer manufacturers that tested his pluck and decision conclusively. He fought their analyses, and under acrimonious demonstration from them, persisted in his reforms until he had revolutionized and graded up the standard of artificial manures. He was instrumental in getting up a National Convention on this subject. His enterprise has been sleepless, and his labors judicious and admirably directed. The Department is on a solid basis, and its usefulness yearly increasing. The receipts from the inspection of fertilizers last year, were $76,232.03, and the expenses of the department $12,171,81, leaving a handsome balance of $64,060.23 that went into the State Treasury. One of the new projects of Commissioner Henderson is the establishment of an experimental farm. It will be a progressive movement that would benefit the State. And under the present able commissioner it would be a success.

Gov. Smith was instrumental in May, 1873, in calling a convention of Governors and delegates in the interest of the Georgia and Great Western Canal. Three hundred members were present, including Gov. John C. Brown of Tennessee, President of the Convention, Gov. Silas Woodson of Missouri, and Gov. T. A. Hendricks of Indiana, from the Eighth District.

Two notable events in the year 1873 were the election of Gen. John B. Gordon United States Senator from Georgia by the General Assembly, and the election of Hon. Alexander H. Stephens as the Representative in Congress from the Eighth District.

Gordon s victory was a signally striking one. He had for competitors, Hon. A. H. Stephens, Hon. B. H. Hill, Hon. Herbert Fielder and Hon. A. T. Akerman. The friends of these gentlemen threw themselves vigorously into the canvass. Gen. Gordon and Mr. Hill both made speeches. Mr. Stephens was in Atlanta, and his quiet, effective influence was seen in the ardent rallying of his admirers in his favor.

The triumph of Gen. Gordon was one of which any man could be proud. He had an unparalleled array of competitors, the most popular, gifted and veteran public leaders in Georgia—men around whom clustered peculiar considerations of public support. Mr. Stephens in particular had been a public idol, maintaining in a long career an unbroken series of political victories. He had been elected Senator after the war and was not admitted. It seemed a proper thing to return him again. He was handicapped, however, by his decided disagreement in the presidential campaign with the bulk of the party.

On the first joint ballot Gordon received 84 votes, Stephens 71, Hill

35, Akerman 14, Fielder 8. Mr. Stephens' vote was remarkable in view of his contest with his party, and could have been evoked by no other man under the same circumstances. He grew in strength in succeeding ballots. For a time it was thought he would be elected. Upon the disintegration of Hill's and Fielder's votes Gordon swept to victory On the fourth ballot Gordon had ninety-five and Stephens seventy-five, necessary to elect one hundred and seven. On the fifth ballot Gordon ran to one hundred and one, and Stephens seventy-six, when men began to change, amid as wild an excitement as ever existed in a deliberative body. Three of Gordon's men broke to Stephens, Mattox, Brantley and Scott. Nine of Hill's men followed to Stephens. Two of Akerman's men added themselves to this growing tide. Two of Stephens' men, Peabody and McClellan, rushed to Gordon to give variety to the battle. Nine of Hill's men followed suit. Three of Akerman's joined this current. Baker of Bartow, with commendable impartiality, changed from Stephens to Gordon, and then back to Stephens. Watt did the same. Dorsey, not to be outdone, plumped from Hill to Stephens and then from Stephens to Gordon. Lee of Appling shifted from Gordon to Stephens, and then back to Gordon. The confusion and excitement were simply indescribable. Everybody was at fever heat. The galleries were packed with spectators, with a large sprinkling of ladies. At one time it was said by some investigating arithmetician who traced out the changing phases of the ballot, that Mr. Stephens was elected by one majority. The transfer of ballots was so swift and mixed that men were in perplexity, but amid the torrent of confusing changes Gordon went up steadily until the ballot was announced, Gordon one hundred and twelve, and Stephens eighty-six, and in a hurricane of shouts, the atmosphere variegated with the tossing hats, Gordon was declared elected.

It was a large clutch of honor for the young Gordon to have won this high trust, and the whole State was pleased. He had in the war carved his way to fame with the sword, rising to continental reputation. He was a fine representative of the chivalry and patriotism of the South. Endowed with a clear mind, a strong honor, and a pulsing public spirit, backed by a rare physical vigor, Senator Gordon became a marked figure in the national councils, and gave an administration of his exalted trust, both useful and brilliant.

The next day after the election the Atlanta *Constitution* raised Mr. Stephens' name for Congress. Gen. Toombs announced that Mr. Stephens would "stand" for Congress in the Eighth District, and the

J. B. Gordon

GEN. JOHN B. GORDON, Ex-U. S. Senator.

numerous aspirants dropped out and down, and the "Commoner," as he was felicitously called, was returned to Congress, where he still continues to give the country his services. Forty years ago he had been elected to Congress. For sixteen consecutive years he had served, his stout heart and large brain, in a weak frame, battling manfully for the rights and interest of the whole country. Retiring voluntarily from public life, he emerged from his privacy to become the second officer of the Confederate government. After thirteen years absence he returned to the seat in Congress he had vacated, the representative of the principles, thoughts and policies of the best school of American statesmanship. The event was a notable one, and created national comment and congratulation.

This Legislature elected as State House officers, Col. N. C. Barnett Secretary of State, Col. John Jones Treasurer, and W. L. Goldsmith as Comptroller General. Col. Barnett and Col. Jones had both been removed from office by Gen. Meade, and their election was the spontaneous tribute of the representatives of the people to these officers for their fidelity to the State's interest.

A very interesting incident of Gov. Smith's administration was connected with ex-Gov. Charles J. Jenkins. Hon. J. B. Cumming introduced a resolution, which passed and was approved August 22, 1872, authorizing the Governor to have made and present to Mr. Jenkins a fac-simile of the great seal of State that he had taken with him when removed from office, with this additional inscription: "Presented to Charles J. Jenkins by the State of Georgia," and this legend, "*In Arduis Fidelis.*"

Gov. Smith had the gold copy made, and in July, 1873, he transmitted it to ex-Gov. Jenkins through the hands of Mr. Cumming, the author of the resolution, in a suitable letter. The formal presentation of this testimonial of a republic's gratitude, this State recognition of fidelity to her honor and prosperity, was certainly an event of beautiful significance. The letter of ex-Gov. Jenkins, in reply, was like everything else emanating from his brain, a document of grace and power. The exquisite elegance of diction, the rare propriety of sentiment, and the strong tenor of vigorous thought that mark this letter, make it a paper to be read with admiration and treasured in remembrance. This sentiment deserves preservation:

"My position is that there is now no cause for despondency; that the wrongs and oppressions we have endured resulted from administrative abuses, not from structural changes in the government. This distinction should be kept constantly in view. In a

complex government like our own, the political powers divided between the general and State governments, let it never be conceded *that a power once usurped is thenceforth a power transferred; nor that a right once suppressed is for that cause a right extinguished; nor that a Constitution a thousand times violated becomes a Constitution abolished; nor finally that a government prostituted by two or three consecutive administrations to purposes of tyranny and corruption must thereafter be regarded as a government revolutionized.*"

Brave, noble words these were, that rang over the length and breadth of the State, giving truth and inspiration to every wearied champion of constitutional government.

Gov. Smith's administration was firm and able and made him very popular. He concluded his fragment of Bullock's time, and entered upon his regular term of four years amid the general and earnest favor of the people. His whole administration, nearly as an entirety, was a beneficial and capable one. There were, however, two matters that occurred that marred the harmony of his régime. There was an aggressive quality in his temper that developed itself, and that was productive of many personal misunderstandings, and created an unnecessary opposition. He was unfortunate enough to get up some very grave conflicts of statement with several distinguished gentlemen in the State upon the delicate subject of their appointment to office. Whatever may have been the merits of these controversies, they made hostility to Gov. Smith. Ex-Gov. H. V. Johnson was the most prominent of the persons with whom Gov. Smith had these by no means beneficial differences. Gov. Johnson considered that Gov. Smith had promised to put him on the supreme bench, and Gov. Smith denied it, and the issue drifted into quite an unpleasant correspondence. Such incidents made an opposition disproportioned to what might be supposed their legitimate effect.

At the expiration of Dr. Angier's term as Treasurer in 1872, as has been stated, Col. John Jones, Treasurer under Gov. Jenkins and who had been removed by Gen. Meade, was elected to this office. The election was unfortunate for himself and for Gov. Smith. He had earned an unusual reputation, and was endeared to the people by his striking experiences. "Honest Jack Jones" was his enviable designation. It was a cruel thing that such a character, so uncommon and priceless, should have been sacrificed, with every undeniable purpose to merit its continuance, and with the fact of integrity untouched. Charges of loose management became general, and the alleged payment of duplicate securities was formulated upon the public thought. The Legislature of 1875 put a committee at work to investigating the Treasurer's office. This committee reported a bad state of things existing in that office, and resolutions were passed censuring the Treasurer, instructing suit against that officer and his

sureties for money illegally paid by him, and authorizing the Governor to appoint a competent person to aid the Treasurer in doing all things necessary for the State's interest. Dr. James F. Bozeman was selected as the official to do this important duty. The choice was admirable. Dr. Bozeman proved himself a careful, capable, patient, honest financier, tracing out the difficult problem of our confused State finances to an unerring conclusion.

The whole episode was a painful one. It involved a Democratic official who had peculiarly strong claims upon the party. Yet the investigation was made with a resolute thoroughness that marked the difference between a Democratic and the Reconstruction administrations. A Democratic rule probed and punished its own derelictions. The Republican régime had shielded its offenders.

Gov. Smith decided upon examination that the Treasurer's bond was insufficient, and on the 15th day of November, 1875, he issued an Executive order requiring a new bond. This the Treasurer failed to give, and on the 26th of November, the Governor declared the office vacant by operation of law. From the 25th of November until the 4th of December, the Comptroller acted as Treasurer under the Executive appointment. On the 4th of December, 1875, Gov. Smith appointed and commissioned as State Treasurer, Hon. John W Renfroe, who served the balance of Col. Jones' term, and in 1877 was elected and served for the full term of four years to 1881.

The administration of Col. Renfroe through its entirety was a signally able one. He had been for years the tax collector of the large county of Washington, and had made a marked reputation for efficiency, skill and promptness. His collections were thorough and his returns a model of book-keeping. He took the treasury chaotic, disordered and unsystematized. He made it methodical, clear and smoothly running. He had something more than good steady business ways. He possessed genuine and original financial ability, blending, in a singular degree, nerve, judgment and fertility of resource. He held the many reins of State money interest with a firm hand and an intelligence equal to any emergency. He was economical and managing, saving the State in every possible manner.

It was a most fortunate selection. The State's credit steadily went up under his financial direction. He negotiated large amounts of bonds at less cost than any other Treasurer. And with all his strict discharge of his duties he was uniformly polite and accommodating, and won a universal regard by his courtesy and spirit to convenience people.

The irregularities in the Treasurer's office and the changes of administration startled and shocked the public mind. There has never been such a demonstration of popular sympathy as followed Col. Jones in this unfortunate calamity The proof of an inefficient management was irrefutable. But the public clung to the idea of his integrity, with a touching tenacity. Great losses to the State were proven, but the general thought maintained the good intentions of old "Jack Jones."

Stunned, dazed, fluttering in his helplessness, and in dreamy doubt of a disaster that he scarcely comprehended, and which he fought with all the gallant consciousness of honesty, the old man reeled under the terrific loss of his cherished repute, and finally as the evidence accumulated overwhelmingly to show an incompetent and careless management, he bowed his head in mute anguish. The iron ordeal of an unpitying inquiry went on.

Civil suits were instituted. Months were spent by an auditor, Col. John M. Pace taking evidence. The trial ran far into Gov. Colquitt's administration, and finally, on the 23rd day of May, 1879, a judgment was obtained against Col. Jones and his sureties, John T. Grant and C. A. Nutting, for $96,000. The counsel for the State were the Attorney General, Col. N. J. Hammond, and the following lawyers employed by Gov. Smith, Gen. Toombs, McCay & Trippe, Willis A. Hawkins and Wm. T. Newman. Col. Jones had for his leading counsel, Hon. B. H. Hill. Mr. John T. Grant offered $35,000 cash in settlement of his liability which was accepted by Gov. Colquitt upon the advice of the State's entire counsel.

This most unpleasant affair was an injury to Gov. Smith's administration. Henry Clews & Co. had paid, during the administration of Gov. Bullock, the entire bonds falling due in 1870 and 1871. These bonds were reported paid by the bond committee in 1871, as also by Gov. Conley in his message, and in his first message to the legislature as Governor in July, 1872, Gov. Smith had mentioned the bonds due in 1872 as the first bonds needing attention. Of the redeemed bonds of 1870 and 1871 Col. Jones had paid a second time, $149,250 with $24,782.15 of interest. These bonds had never been canceled by Henry Clews, but were sold at public auction in New York on one day's notice, for $18,625 to J. D. Hayes, the Misses Clews and Chittenden and Hubbard. Somebody presented them at the State Treasury and Col. Jones paid them. He had no clue to the person who got the money. After that payment Gov. Smith passed his warrant to Col. Jones for these bonds. And whether rightly or wrongfully the public held it a matter

for censure in the otherwise excellent financial administration of Gov. Smith.

Gov. Smith had pressed a controversy upon the writer in connection with the authorship of a newspaper letter, attacking him savagely, written by a Mr. Cowart. And in this controversy the writer entered fully into this double bond payment, and charged upon Gov. Smith a grave neglect of duty. The controversy which brought to light more clearly the facts of this bond mistake, demonstrated the tendency heretofore alluded to in Gov. Smith to provoke unnecessary antagonisms. It is due to Gov. Smith to say that the full extent of condemnation to which he should justly be subjected is simply such oversight of the fact of payment as would have prevented his signing a warrant for these bonds. The bonds had been paid. The money could not have been recalled. No human suspicion could attach any blame to Gov. Smith for the double payment. These are milder views of Gov. Smith's share of blame than the writer entertained at the time of the very tart correspondence in 1876, and are given in justice to both parties.

In 1876 an event occurred that attracted very much attention. Dr. W H. White, who has since died, a gentleman from Iowa settling in Atlanta, was the successful originator and instrument of a large excursion of western citizens to the South, that went a great way to break down the ignorant bitterness existing between the sections, and which has proved so great a barrier to national reconciliation. Dr. White was a public-spirited citizen of energy and enterprise, who deserved the esteem he held among our people.

The death of Gen. Ambrose R. Wright and Thomas J. Speer, members of Congress, was followed by the election of Hon. A. H. Stephens and Col. Erasmus W Beck to fill the vacancies. In November, 1874, the following gentlemen were elected to Congress, *viz.* Julian Hartridge, Wm. E. Smith, Philip Cook, H. R. Harris, Milton A. Candler, James H. Blount, Wm. H. Felton, Alex. H. Stephens and Garnett McMillan.

In the nominations of Col. Candler and Col. McMillan there had been prolonged, exciting and stubborn contests. McMillan beat Hon. B. H. Hill in the convention in a conflict that excited State interest. Col. McMillan soon died, and Mr. Hill was nominated and elected May 5, 1875, to fill the vacancy, and from that time has been in Congress. The most remarkable, and in some respects romantic, congressional contest, was the one in the 7th District, which resulted in the election of Dr. William H. Felton as the Representative, which revolutionized the politics of that District, which introduced a new and powerful factor in

the public matters of the state, and made the quiet old Seventh District the scene of political strife so turbid and active as to focalize the gaze and the speculation of the whole people.

Some several weeks before the Democrats held their nominating convention, Dr. Felton had taken the field as an Independent Democratic candidate, on the general ground of the trickery of the convention system, which, he argued, disappointed instead of enforcing the popular will. He was a tall, slender, gray-haired Methodist preacher, with a singularly effective eloquence and a very subtle power in reaching and controlling his hearers. The people of mountain sections seem to have a natural proclivity to that loose wearing of political trammels that makes party independentism easy. It is a curious geographical fact that, in the 7th and 9th Congressional Districts, both mountain countries, the Independents have been most active and successful.

Dr. Felton made a steady headway. His wife, a very comely lady, fearless, positive, managing, a born politician, a vigorous writer, and a tireless worker gave him a wonderful co-operation. Together they inaugurated a revolution that swept the District, made it the focal battle-field of the State, and planted independentism in State politics for years to come. The placid parson became the central figure of public matters.

The convention nominated Hon. L. N. Trammell as the Democratic candidate for Congress. Dr. Felton attacked the fairness of his nomination and his political record. Trammell met him squarely, hammering down his assaults. They met in debate several times, and Dr. Felton declined to discuss with him longer. The disaffection in the Democracy of the seventh so perceptible gave serious trouble to the party all over the State. There were elements of discord at work that seemed uncontrollable. With a deft tact and consummate ability the clever parson used the chance. It was immaterial who was the nominee, the opposition to nominations existed. Whether Dabney, Lester or Trammell, it was the same breeding repulsion to convention work. Trammell was an unexampled manager, full of resources, and a watchful, masterly, political leader.

Col. Trammell wrote to the Executive Committee putting himself in their hands for the party good. It was a generous abnegation. The committee proposed to Dr. Felton that both retire and let the party settle the contest in some way. Dr. Felton declined. The committee decided that Col. Trammell must continue the fight. There was then every chance for the nominee. Trammell could have made the victory.

But there was treachery in our own ranks. Realizing it, Col. Trammell determined that it should not be ascribed to him that the party was divided, and peremptorily withdrew. Col. Wm. H. Dabney was nominated. The battle became hotter still. The schism grew, the rancor intensified, the struggle deepened in bitterness. Outsiders who were invited to come in and take a hand were warned off. The District seethed like the witches' cauldron in Macbeth. It was a red-hot time, full of accelerating fury.

Col. Dabney was an irreproachable gentleman and a fine lawyer, able and earnest. But Dr. Felton went for him. Dabney lacked personal magnetism and political strategy, and was not a match for Felton. We have never had a man in Georgia politics that has been so dangerous an assailer of personal records as this plausible preacher. He struck deadly blows. He held religious service on Sunday, and spoke politics on week days, and played perilous work generally with personal antecedents. His hold on the people was something marvelous, and could not be shaken. He inspired a tenacity of attachment in his followers, amounting to fanaticism.

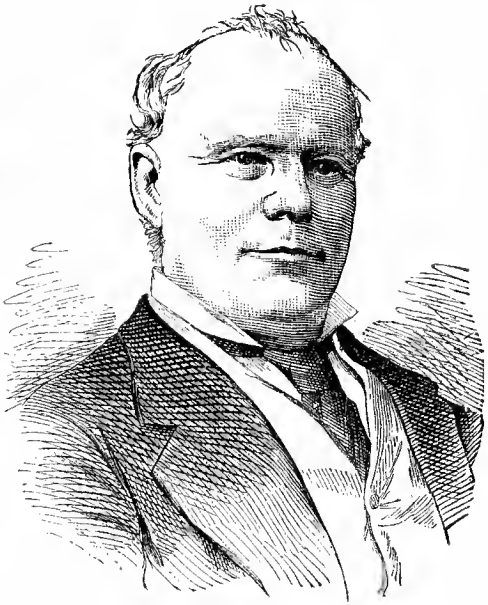
He defeated Col. Dabney by over 200 majority. He ran again in 1875, and Col. Dabney was pitted against him, and he got an increased majority running to 2,462. The Republican vote went solid for him. In 1878 George N. Lester was nominated, and made a lightning race, full of fire. But Felton came in again with a majority of 1,350. It looked like the parson was invincible, and Independentism supreme. The contagion had spread. In the 9th, in 1878, a handsome, glittering, young man, showy, eloquent, ambitious, Emory Speer, who in 1876 had been defeated, slipped in over Col. J. A. Billups, the nominee, by a small majority, which in 1880 he swelled to over 4,000 in a tug with H. P. Bell.

But Dr. Felton's victory over Col. Lester closed his extraordinary series of successes, and in 1880 a sturdy, clear-headed, even-tempered young man, who had been first in the House of Representatives and then in the Senate from Walker county, entered the race and left the gallant parson behind. This sensible individual, Judson C. Clement, took a new tack. He would have no stock in a personal contest. He made a quiet elevated canvass, dignified, devoid of personality, soothing the asperities of an angry division, and treating Dr. Felton and his followers with a uniform personal courtesy, and when the vote was counted, to the surprise of the State, and with somewhat of a shock to the parson, Clement was declared elected.

The defeat of Parson Felton has left his youthful and brilliant young colleague, Emory Speer, the leader of the Independents—a critical and perilous pre-eminence. He has shown, like the Parson, an able brain and a steady head, a thorough self-reliance and a shrewd mastery of the masses. It cannot be seen that Dr. Felton made any blunder to evoke defeat, but fell through in the reaction from a species of revolution and under the natural subsidence of men into customary and familiar political grooves. It remains to be tested whether the gifted young Speer can avoid the fate of his wise old colleague, and maintain outside of party lines that personal supremacy, which, while it utilized Democratic disaffection and a handy Republican balance of power, yet demonstrated an undeniable genius for leadership.

James Jackson

Martin J. Crawford



Hiram M. Sheer

SUPREME COURT OF GEORGIA.

CHAPTER XLV

GOVERNOR ALFRED H. COLQUITT, AND HIS MAGNIFICENT MAJORITY

The Popular Thought Points to Alfred H. Colquitt for Governor.—His Long Declension.—Gen. L. J. Gartrell.—H. V Johnson.—John H. James.—Thomas Hardeman Retires.—Gen. Colquitt's Character.—The State Democratic Convention.—The Colquitt Caucus.—Weil and Wright.—An Amusing Episode.—Colquitt's Nomination and the Enthusiasm.—The Republicans put up Jonathan Norcross.—Colquitt's Easy Election and Vast Majority.—Tilden and Hendricks.—The Texas Banner Won.—The Congressional Delegation Re-elected Entire.—Ex-Gov. Joseph E. Brown.—Gregg Wright's Witty Article on Brown.—Gov. Brown's Service in Florida.—Changes on the Supreme Bench.—James Jackson and Logan E. Bleckley.—Martin J. Crawford.—Alex. M. Spear.—The Legislature of 1877.—A. O. Bacon, Speaker.—R. E. Lester.—E. P Howell.—Patrick Walsh.—Gov. Colquitt's Splendid Financial Message.—His Practical Economy.—The Bankrupt Railroads.—Gov. Colquitt's Able Disposition of Them.—B. H. Hill Elected United States Senator.—State House Officers.

DURING the years 1875 and 1876, the question of Gov. Smith's successor in the Executive office was actively agitated. Gov. Smith finally declined to be a candidate, and turned his aspirations to the United States Senate. The prominent name in the public mind was Alfred H. Colquitt. As early as 1857 the popular thought had pointed to him for Governor. After the war he had steadily declined political preferment, and constantly grew in public favor. Coming from a blood renowned in Georgia annals; the son of a father, the most versatile and brilliant public man the State has ever known, Walter T. Colquitt; the inheritor of eloquence and ability for the administration of public affairs; a gentleman of rare Christian character and life, adding the grace of a deep piety to the attractions of a very handsome face and person, and with manners singularly simple and hearty, and reflecting a temper uniformly genial, Gen. Colquitt enjoyed an exceptional popularity, and had such a hold upon the respect and affection of the masses as few men have ever enjoyed.

He refused repeated solicitations to allow his name used for Congress, as well as for Governor and the United States Senate. He was constantly chosen as elector and delegate to National Conventions. He had, in 1872, been elected on the same day President of the State Dem-

ocratic Convention and President of the State Agricultural Society He had been unanimously re-elected, year by year, President of the State Agricultural Society. Under this focal enjoyment of public regard he was at length squarely entered into the lists for the gubernatorial succession.

Gen. Lucius J. Gartrell was mentioned and pressed by his friends for Governor, but when ex-Gov. H. V Johnson's name was presented, he withdrew. Gov. Johnson was sprung as a gubernatorial candidate by Mr. Willingham of the *Press*, and warmly urged by Mr. Gregg Wright of the Augusta *Chronicle* and *Sentinel*. The late introduction of Gov. Johnson into the canvass was an injustice to that distinguished and popular statesman. His support was no criterion of the strength he had with the people. He neither endorsed nor declined the use of his name, but still left it before the public. The writer, a warm friend and admirer of Gov. Johnson, wrote him a letter, urging that so many of his friends were friends of Gen. Colquitt and had committed themselves to the latter, that he owed it to himself not to run.

Mr. John H. James, Banker of Atlanta, a gentleman of great native shrewdness and large means, accumulated by an uncommon financial sagacity and energy, had resolved, if possible, to cap his business success with the honorable distinction of Executive responsibility. Against Gov. Smith in 1872, he had made something of a commencement of his attempt at the Executive chair. He regularly entered the race against Gen. Colquitt, and devoted himself to the campaign with that cool, systematic energy and calculation that marked the man. Deficient in education, he yet had a large fund of good sense, good temper, and real practical capacity. He pursued his canvass astutely.

The strongest competitor that Gen. Colquitt had, however, was Hon. Thomas Hardeman, Jr. This gentleman was very popular. As Legislator, Congressman, Speaker of the House, Confederate officer, he had shown himself capable, eloquent, honorable, patriotic and public spirited. He had convictions and the courage to defend them. He was and is a fluent and attractive speaker. He was true in his friendships, and direct and candid in his politics. Possessing a genial nature, he inspired a general regard. Col. Hardeman has been one of the sincerest men in our public matters, meriting his repeated trusts, discharging his duties efficiently always, and enjoying public respect and regard.

Walter T. Colquitt, the father of Alfred H. Colquitt, was a most consummate master of politics, and he transmitted to his son a full share of this power. The writer does not think that in the State there has ever

been a wiser manager of a political campaign than Gen. Colquitt. Under his pleasant, unpretentious, genial exterior, he carries a keen judgment of men, an accurate perception of chances, a broad range of resources in management, a power of severe practicality, a thorough grasp of detail, and an unwavering decisiveness upon a deliberately selected line of policy. There were some other qualities in Gen. Colquitt that gave him strength. No man was ever more crystally truthful and direct, no man was ever truer to friendship, and no man was ever more strongly governed by duty and conscience.

There have been many misconceptions of Gen. Colquitt's qualities,—inconsistent with his striking political successes. No mistake as to his character has been more widely at fault than the idea that his enemies have used against him, that he possessed a pliant and yielding character. This has grown from that perennial sweetness of temper and genial courtesy of manner that belong to the man. In truth he is as positive and unwavering a public man as we have ever had in Georgia. Not an aggressive person and not given to seeking combat, but a most unchangeable and patient man upon a line of policy he has shown himself to be. Every political campaign he has been engaged in has demonstrated fixedness, persistence and resolution of an unusual quality.

Perhaps the strongest trait of Gen. Colquitt's nature is his contempt for affectation or pretense. With a hearty scorn for shams, caring nothing for show, yet with a genuine pride of principle and gentility, he has kept his poise, preserved his common sense, and maintained the solid purity of his character and intelligence in a manner that testifies conclusively to his native worth. No public man has ever been more untouched by the glitter of official distinction, or has borne high preferment with more modesty. This simple wearing of ennobling trust has been accompanied by a strong practicality that he shows in all matters, and which is the essential basis of a very strong personality with an unlimited reserve power in it. The qualities of this distinguished Georgian will be further discussed. He was destined for unprecedented triumph and a remarkable experience.

The nominating convention was held on the second day of August, 1876, in Atlanta. The selection of county delegates to the body demonstrated the overwhelming drift for Colquitt. When enough counties had acted to show the popular preference, Col. Hardeman, with that patriotic sensibility that has always signalized his public course, withdrew his name in a most graceful letter, yielding a prompt acquiescence in the public will. At the Kimball House, the head-quarters of

the Colquitt, Johnson and James delegates were established. A caucus of Colquitt's friends was held in the large ball-room of the Kimball House. The Johnson men met in the breakfast-room, and Major J. B. Cumming stated that he had in his possession a letter from Gov. Johnson declining to have his name presented to the convention. The caucus resolved to support Colquitt.

In the Colquitt caucus the enthusiasm was overwhelming. The large room was packed. The proposal of three cheers for Colquitt brought out a ringing response which echoed throughout the immense building in thunderous notes. Mr. H. D. D. Twiggs announced the withdrawal of Gov. Johnson's name and that Johnson's friends would support Colquitt. The excitement that followed this announcement went to fever heat. Cheers were given for Gov. Johnson and his friends. Hon. Josiah Warren of Savannah was called, and made an electrical little talk. Among other things he used these notable words:

"As an original Hardeman man, and one who believes he is one of the purest and noblest sons of Georgia—and who withdrew in favor of one who is his peer in every respect [cheers]—Gen Colquitt—[cheers], and as a friend of Gen. Colquitt, and as one who is in favor of the harmony of the party, I congratulate you and the whole people upon the evidence here to-night of the future harmony and unison of the Democratic party of the State of Georgia" [cheers].

Col. Hardeman made such a speech as he always makes, fitting and eloquent. The convention consisted of 550 delegates from 135 counties. Hon. Geo. F. Pierce, Jr., was made temporary Chairman, and Hon. Clifford Anderson permanent President of the body. Col. S. Weil of Fulton county withdrew the name of Mr. James, and moved the nomination of Gen. Colquitt. Mr. H. Gregg Wright of the Richmond delegation had been empowered to announce the withdrawal of Gov. Johnson and put in nomination Gen. Colquitt. It is a part of the under-current of the history of this convention that the movement of Mr. Weil in his German idiom was a surprise, and unexpectedly interrupted the programme of the Richmond delegation. It created a sort of ripple of amusement, but the ready and quick-witted Wright met the sudden emergency cleverly, and put in his most felicitous speech with a spirit that brought the house down, stating that Johnson's name would not be presented, and urging Gen. Colquitt's nomination by acclamation.

The nomination went through with a rush, and Gen Colquitt was brought in, and made a stirring speech. Electors were chosen on the Tilden and Hendricks ticket. They were A. R. Lawton and J. W Wofford from the State at large; and district electors, A. M. Rodgers,

Yours truly

Alfred H Colquitt

R. E. Kennon, J. M. Dupree, W O. Tuggle, F D. Dismuke, F Chambers, L. N. Trammell, D. M. Du Bose and J. N. Dorsey.

The Republicans in convention at Macon, Aug. 16, 1876, nominated Jonathan Norcross for Governor, and for electors, D. A. Walker, E. C. Wade, J. T. Collins, C. W. Arnold, B. F Bell, R. D. Locke, J. A. Holtzclaw, Jeff. Long, Z. B. Hargrove, V M. Barnes and M. R. Archer. The whole Democratic ticket for State officers, electors and congressmen was easily elected. Mr. Norcross was an odd, grizzly person, an intense, double-dyed Republican, unskilled in party management, regarded as possessing very cranky political theories, and an impracticable public man, but personally honest, a successful business man, one of the earliest settlers of Atlanta, though of northern birth, and enjoying the respect of all who knew his undoubted personal worth. He was the last man in the State to lead the party. Some idea of his party management may be gleaned from a maneuver of his in the last campaign, when with nine-tenths of his party organization colored, he deliberately inaugurated the policy of establishing a white man's Republican concern, and ignoring the colored brethren. This would have been simply to have wiped out at one stroke the Republican party in Georgia.

The Georgia elections of 1876 resulted in easy and overwhelming Democratic victories. The State election took place in October. Gov. Colquitt's majority over Mr. Norcross was unprecedented, running to 77,854, and the largest ever given in the State. The whole vote was 144,839, of which Gov Colquitt received 111,297, Norcross 33,443, scattering 99. The popular Colquitt swept in to the Executive office on a flood tide of public favor. Amid universal acclaim and a flattering expectancy he took his seat. The Republican party was crushed as by the hand of a giant. Swollen to invincible proportions, the Democracy had no opposition whatever. Unified, with every wandering element gathered to the fold, compact and resistless, it led the Democratic hosts of the Union. Some Democratic Clubs in Dallas, Texas, challenged the States of the Union to roll up a heavier majority than the Lone Star commonwealth, the trophy to be a silken banner. Especial dares were given to Georgia and Kentucky.

The enormous majority given to Gov. Colquitt was duplicated for Tilden and Hendricks in November, and in due time there came from Dallas to Gov. Colquitt a magnificent banner, the badge of Georgia's Democratic superiority. Gen. Lawton was elected President of the Electoral college, which assembled in Atlanta on the 8th of December,

and east the State's vote for Tilden and Hendricks. The most extraordinary result of the November election was the return to Congress of the entire Representatives elected in 1874, something that has never happened before or since. The members thus re-elected without an exception, were Julian Hartridge, Wm. E. Smith, Phil. Cook, Henry R. Harris, Milton A. Candler, Jas. H. Blount, Wm. H. Felton, Alex. H. Stephens and Benjamin H. Hill.

During the past years, Gov. Brown had, after a series of long and hard conflicts in the Legislatures and before the people, established irrefutably the integrity and validity of the State Road lease, and his company was firmly fixed in its occupancy of the road. But during these years, though out of politics, and devoting his extraordinary energies and sense to material enterprises, his powerful personality was, in the public imagination, a persuasive and irrepressible influence. No man has ever been accredited with so much mysterious and potential manipulation of political affairs. It was a strange tribute to both his past power and still existing domination.

That witty and sparkling young journalist, Gregg Wright, editor of the Augusta *Chronicle*, who died so young, and yet so marked in his calling, happily expressed the remarkable estimate the public placed upon Gov. Brown, and the repute that attached to him in political matters, in this sketch.

"Mr. William Dugas Trammell was not far wrong in the description which he gave of ex-Gov. Brown in his communistic romance, *Ca Ira*. Under the name of 'Mr. Malcomb,' he speaks of him as a man universally feared and admired, who was believed to be always engaged with the Governors, Legislatures, City Councils, railroad officials and great speculators, in certain mysteries. If he was on speaking terms with the Governor, there were those to swear that he was the real Executive and was running the government; if his carriage stopped in front of a printing office, the editor was bought up; if he whispered in the ear of a member of the General Assembly, the Legislature was bribed; if a newspaper said a good word of him, it was paid to do it. If it was consistently friendly, he owned an interest in the establishment. No one who has lived in Georgia since the close of the war can doubt the fidelity of the portrait by the communist artist. If the ex-Governor be a man of any humor whatever, he must be as much amused as offended by the manifold and conflicting charges brought against him, and the multiplicity of schemes which he is declared to have originated. The evil spirit of the Indians was never an object of more fear to the ignorant children of the forest than this man is to the people of Georgia, nor were the stories of the power of and designs of the one a whit more wild than some of the fables which have been set afloat concerning the Cherokee chieftain. Nothing, it would seem, has been too extraordinary or improbable for the imagination of writers or the credulity of readers. If the man did a tithe of what he is accused of doing, he is a mental and physical phenomenon—an eighth wonder of the world, more wonderful than the other seven com-

bined. He is everywhere at the same time—irrepressible, omnipresent, omniscient, omnipotent. He 'runs' the city of Atlanta, he 'runs' the State of Georgia, he 'runs' railroads, coal mines, iron furnaces, steamship companies, newspapers, job offices, churches, free schools, colleges, universities, the farmers, the democratic party, the liberals, the conservatives, the negroes and the whites, and between whiles engages in banquets, difficulties and duels. One day we are informed that he is intriguing energetically, adroitly and with good chances for success for the Vice-Presidency. The next he is plotting to prevent any Atlanta man from warming his feet or cooking his food with coal which does not come from his mines. The next he is at the head of a ring which has control of the whole State; and is parcelling out the offices to his friends and adherents. The next he is manipulating a congressional convention by telegraph. The next he is dictating to the Georgia Legislature. The next he is heading a faction and waging war with the lessees of the Western and Atlantic railroad. The next he selects a chancellor for the university, etc. If he speaks, every word is sifted to discover a meaning which it does not bear on its face. If he remains quiet, he is plotting—giving away such trifles as governorships, seats in Congress, on the Supreme Bench and in the United States Senate.

"Last Wednesday the Atlanta *News* sounded a long 'note of warning' to the people of Georgia. The ex-Governor is 'caucussing' and making up slates—this time in the interest of the holders of the hogus bonds. 'It is reported that the political slate includes the candidature of Mr. James Brown, a brother of ex-Gov Brown, for Governor, and the appointment of certain parties to judgeships, besides the running of candidates for the Legislature in all the counties.' This is the programme for 1876. Such a man is dangerous to the country and the people. With the lamp of Aladdin, the purse of Fortunatus, the pass word of Ali Baba, the helmet of Pluto, the armor of Achilles, the genius of Napoleon, the diplomacy of Talleyrand and the pertinacity of the devil, there is no withstanding him. Can we not make him a respectable kingdom either in Mexico or South America and induce him to emigrate? The experiment is certainly worth trying."

Gov. Brown had come into full accord with the Democratic party. Supporting Gov. Smith for Governor against his life-time friend, Judge D. A. Walker; and Greeley for president against Grant, he had aligned himself squarely with the Democracy. He gave in connection with the Tilden-Hayes presidential contest, a demonstration of his Democratic fealty and individual value to the party, that drew upon him national attention. Florida was one of the States whose vote for President afforded the chance for thwarting the election of Mr. Tilden. It was one of the three battle-fields of that novel conflict, which it is to be hoped may never be again witnessed in this Union, and which involved the defeat of the people's will by the abominable mechanism of party returning boards.

Gov. Brown, though sick and unfit for duty, yielded to a general public desire, and went to Florida to give his great abilities to protecting the purity of the ballot, and ensuring a fair count of the Tilden vote. Through the wearisome phases of this vital conflict he remained,

contesting fraud at every step, and finally made an argument of unexampled power in the cause. This episode of valuable service strengthened Gov. Brown's advancing restoration to the public confidence, due to his large measure of public usefulness.

During Gov. Smith's term some changes had taken place upon the supreme bench that require notice. The Hon. R. P Trippe was appointed to succeed Judge Montgomery, February 17th, 1873. Judge Trippe and Judge McCay resigned from the supreme bench in 1875, and in their places Gov. Smith appointed, July 27th and 29th, Hon. James Jackson and Hon. Logan E. Bleckley. Two more fitting appointments could not have been made. Both were singularly pure and simple-mannered men, both of scholarly culture, both lawyers of the first ability, and both persons of unusually sincere conviction and unbending integrity. Judge Jackson had filled many public trusts, and Judge Bleckley very few. As Congressman and Judge, Hon. James Jackson had won an enviable reputation. Judge Bleckley had been supreme court reporter, and was noted for accuracy, and a certain indescribable style of original thought and sententious polished expression.

Two higher types of men we have never had upon our supreme bench —men more thoroughly representative of the manliest grade of Southern character—men gentle, unpretentious, gifted, resolute, and yet learned in the law. Judge Jackson added to his high qualities the grace of a Christian piety, holding up in his strong life the cause of practical religion. Judge Bleckley has had some interesting peculiarities. A certain vein of witty singularity ran through his nature and cropped out in all sorts of curious ways, carrying an odd conception of a not unpleasant quaintness. It was a thing that few men could do, for him to signalize his resignation from the supreme bench with a poem, that stands to-day upon the grim records of the court. Yet he did it with a touching effect, and in utter relief of the seeming incongruity of such a proceeding. It may show the honorable eccentricity of his character, running to a sort of refined Quixotism of good, to recall an incident.

Judge Bleckley called to renew his subscription to the Atlanta *Herald*. He found that his paper had been delivered several weeks beyond the time for which the subscription was paid. He was very much displeased, and said the running over must not happen again : that when his time was out his paper must be stopped : that it was a rule of his life to go to bed owing no man anything and he had been made to violate his rule. There is a strata of poesy in Judge Bleckley's nature,

A. O. BACON,

SPEAKER OF THE GEORGIA HOUSE OF REPRESENTATIVES.

and an irrepressible tendency to quaint conceits of thought, that find vent even in the iron formularies of a Supreme Court decision.

Judge Bleckley was re-appointed Judge in January, 15th, 1877, by Gov. Colquitt. He resigned in 1880, and Hon. Martin J. Crawford was appointed and qualified in his place, February 9th, 1880, by Gov. Colquitt. Chief Justice Hiram Warner resigning in 1880, Judge Jackson was appointed Chief Justice, September 3, 1880, and Hon. Willis A. Hawkins was selected for the vacancy occasioned by Judge Jackson's promotion. On the 17th of November, 1880, the General Assembly elected James Jackson Chief Justice, and Martin J. Crawford and Alex. M. Speer Associate Justices, and this is the present status of the Supreme Court. It is an able, a strong and a learned bench,—such an appellate tribunal of final resort as graces the jurisprudence of a great commonwealth, gives guarantee of an exalted administration of justice, and exalts the dignity and vitalizes the influence of an august judiciary.

Judge Speer, the junior member of the court, has been an honored citizen of Georgia, repeatedly elected to positions of trust, and filling, before his merited elevation to the Supreme Bench, the high place of Judge of the Superior Courts of the Flint Circuit with an ability and dignity not surpassed in the judicial annals of Georgia. Judge Crawford has been distinguished as a statesman and jurist for a quarter of a century, he and Judge Jackson both illustrating the State in the national councils as well as in the judiciary of the commonwealth.

The legislature of 1877 was organized by the election of Hon. A. O. Bacon as Speaker of the House, and Hon. R. E. Lester as President of the Senate. Major Bacon had evinced such extraordinary qualities for a presiding officer that he was chosen Speaker without opposition. Clear, rapid, prompt, polite, with a loud, distinct enunciation, always audible in every part of the hall, thoroughly versed in parliamentary law, using wonderful dispatch in the business of the body, with an imposing manner and uniform dignity, and with an unvarying courtesy of manner, Mr. Bacon was a model Speaker, and his superiority for governing the deliberations of the House so unquestionable, that he was elected by a sort of involuntary and common consent. The same complimentary distinction was conferred upon him by the legislatures of 1878–9 and 1880–1, to both of which he was elected a Representative, the Assembly of 1880–1 being now in session and Major Bacon presiding with his accustomed grace and efficiency.

Col. Lester was also a fine presiding officer, directing the deliberations of a much smaller body, the Senate, and one easier to handle,

but his parliamentary qualities were none the less thorough than those of Speaker Bacon. Col. Lester was also elected President of the Senate of 1878–9. Hon. Evan P Howell was chosen President of the Senate *pro tem.*, during both of Col. Lester's terms. Mr. Howell succeeded Mr. George Hillyer as the Senator from the Atlanta District. He had been for years chosen as one of the city fathers of Atlanta. He had signal capacity for public affairs, uniting in a marked degree unusual power of party management to a bold, shrewd, practical judgment. He had an exceptional poise of cool sense, and a singularly direct way of going to the marrow of things. In 1876 Mr. Howell bought an interest in the Atlanta *Constitution*, and has since then been one of the proprietors and editors of that powerful paper, and his enterprise and wisdom have been controlling qualities in its wonderful success. Mr. Howell will be an influential factor in Georgia politics in the future.

Among the notable men of the legislature of 1877 was another member of the Georgia press, Hon. Patrick Walsh, one of the Representatives from Richmond county, and one of the proprietors and editors of the Augusta *Chronicle and Sentinel*, now the *Chronicle and Constitutionalist*. Mr. Walsh has a solid, stoutly-built, medium-sized figure that gives token of the man, and his substantial momentum of character. A grave, impassive face, and a steady, deliberate manner, increase the idea of strength that attaches to him. Of Irish blood, Mr. Walsh has a good deal of the sturdy combativeness that belongs to that race, and yet he is free from the excitability that leavens largely the Irish nature.

Mr. Walsh is a person of unusual force, direct, simple, truthful, positive, and with an irrepressible rising quality in him that will carry the man very high. He is daring and yet methodical and self-poised. He is a true and earnest person, a faithful friend and an open opponent, striking hard but honorably. He is both a forcible writer and an impressive speaker. One of the colleagues of Mr. Walsh, from Richmond county, was Col. J. C. C Black, a gentleman of earnest and effective oratory, who made some speeches of uncommon power in the campaign of 1880. There were some very bright men in this body, who have since steadily risen in public esteem. Among these were A. P Adams, A. H. Gray, H. H. Carlton, Henry Hillyer, N. L. Hutchins, A. D. Candler, W J. Northern, J. T. Jordan, A. L. Miller, J. H. Polhill, J. A. Reid, J. D. Stewart, W M. Hammond, A. H. Cox, F. H. Colley. Among the older members were P M. Russell, W P Price, R. J. Moses, Jas. M. Smith, W. W Paine, Wm. Phillips.

Gov. Colquitt was called upon for suggestions in regard to the financial matters of the State and sent in a message showing a most thorough investigation of every point connected with the management of the finances, and suggesting a comprehensive system of retrenchment and reform. The ideas advanced by him covered the ground of the reform afterwards instituted by the Convention and legislatures. This message is a remarkable document, and Gov. Colquitt may well plume himself upon its practicality and comprehensiveness. He discussed ably the saving by a more exact return of property for taxation, a more rigid collection of taxes, a more economical collection of taxes, reduction in the cost of legislation and legislative clerk hire, decrease in the outlay of the contingent, printing and building funds, reduction in the number of clerks in the various departments, lessening the number of judicial circuits, the cutting off of superfluous offices, and the inauguration of small economics.

Gov. Colquitt put in practical operation the economies he suggested as far as lay in his power. He immediately imposed the duties of the Keeper of Public Buildings on a clerk in the Executive office without extra pay. He made considerable savings in the contingent, printing and building funds. Every expenditure for the State was scrutinized as closely as a private account. Gas, coal, labor, stationery, postage, printing, advertising, clerk hire and incidental expenses were all reduced in cost to the State. The extraordinary financial fruits of Gov. Colquitt's administration will be shown hereafter.

Among the legacies of burden left from previous administrations to Gov. Colquitt were several bankrupt railroads, whose bonds the State had endorsed. These were the Macon and Brunswick, the North and South, and the Memphis Branch railroads. The Brunswick and Albany railroad had received State aid in Gov. Jenkins' term to the amount of $1,950,000, and subsequently $600,000 in Gov. Bullock's term. The $600,000 had been thrown over. The $1,950,000 were recognized, and in July, 1873, Gov. Smith seized the road for non-payment of interest. In May, 1874, Gov. Smith endorsed the bonds of the Memphis Branch railroad for $34,000, and seized the road in May, 1876, for non-payment of interest in January and July, 1875. In December, 1872, Gov. Smith endorsed the bonds of the North and South railroad for $240,000, and in April, 1874, he seized the road for non-payment of interest. These three roads were placed in the hands of receivers, were sold, and all came into the ownership of the State. The Macon and Brunswick railroad was sold at public outcry and bought in, June, 1875, by Gov.

Smith for the State, and put under the management of E. A. Flewellen, W A. Lofton and George S. Jones.

In 1876, the Macon and Brunswick railroad showed $28,000 paid into the treasury. From December 1, 1876, to September 30, 1878, under Gov. Colquitt, $65,000 was paid into the treasury, and $164,608.12 from September 30, 1878, to February 29, 1880, showing the increased payments to the State. The iron and property of the Memphis Branch railroad was sold in August, 1877, for $9,000, to the Marietta and North Georgia railroad. The North and South railroad was sold to Louis F. Garrard and others for $40,500, and the money is now in the treasury. The Macon and Brunswick railroad was sold, conveyance made and the property transferred on the 28th day of February, 1880, for $1,125,000, of which $250,000 was paid down, and the balance is to be paid in payments of $250,000 in two years from that date, and $625,000 in four years. The company is under obligation to extend the road in five years from date of sale to Atlanta, and is building such extension.

In 1876, the sum of $542,000 of bonds was issued and sold, and the proceeds used to pay the accrued back interest on the Macon and Brunswick, and North and South railroad bonds. In 1877, the sum of $2,298,000 of six per cent. bonds were issued to exchange for the seven per cent. endorsed bonds of these railroads, and the Memphis Branch railroad. The aggregate bonded liability of the State on these railway enterprises is $2,842,000. Under Gov. Colquitt's administration the sum of $1,174,500, principal, will be realized from them, leaving the balance against former administrations of $1,667,500 of loss from unfortunate endorsements.

The General Assembly of 1877 elected a successor to Hon. Thomas M. Norwood, United States Senator. The contest was quite an animated one, and continued for several days. The first day's joint ballot on Wednesday, January 24th, 1877, resulted: T. M. Norwood, 96 votes, B. H. Hill 78, Jas. M. Smith 27, H. V Johnson 11, D. A. Walker 4; total 216, needed to elect 109. Mr. Norwood was the strongest candidate on this vote, but lacked 13 ballots to elect him. The struggle was between Mr. Norwood and Mr. Hill. The under-current of strategy was active and interesting, and gossip gave to Gov. Brown the direction of the final result. On Thursday the joint ballot stood: Norwood 95, Hill 77, Smith 29, Johnson 10, Walker —. The coquetting of both the Norwood and Hill managers with the Smith men was ardent. Rumor, the jade, put it that Dr. Carlton was very instrumental in some clever work for Mr. Hill. The gossip ran that some of Mr. Hill's men had been

detailed to vote for Gov. Smith, and at the proper time initiated the movement that carried Hill through. Be this as it may, on Friday, on a single joint ballot, the vote stood, Hill 114, Norwood 85, Smith 5, Johnson 5, not voting 4, and Mr. Hill was transferred from the House to the Senate for the six years beginning March 4, 1877, and ending March 4, 1883.

The same legislature elected N. C. Barnett, Secretary of State, J. W Renfroe, Treasurer, and W L. Goldsmith, Comptroller General.

CHAPTER XLVI.

GOVERNOR COLQUITT'S BRILLIANT FINANCIAL ADMINISTRATION.

Grumbling at the State Constitution of 1868.—The Legislature of 1877 Inaugurates a Convention Movement.—The Constitutional Convention of 1877.—Its Personelle.—Ex-Gov. C. J. Jenkins its President.—The Work of the Convention.—Gen. Toombs and Railroad Restriction.—The Capital Question Settled.—A lively Battle between Milledgeville and Atlanta.—New Judges.—C. D. McCutchen.—Henry Tompkins.—President R. B. Hayes' Visit to Atlanta.—Gov. Colquitt's Memorable Speech of Welcome.—Gov. Colquitt's Splendid Financial Administration.—The Growling over Financial Success.—The State Road Droppings.—The Tuggle Picking.—Bonanzas and Grumbling.—The Railroad Back Taxes.—The Macon and Brunswick Railroad Earnings.—Floating Debt Knocked Out.—Public Debt Reduced a Million and a half.—Taxation Cut Down nearly one-half.—Tax Burdens Halved.—Small Economies.—Every Expense Decreased.—Noisy Minorities and Quiet but Overwhelming Majorities.—The International Sunday-School Convention. Gov. Colquitt made President.—A Great Compliment.—Chatauqua and Brooklyn.—Gov. Colquitt as a National Harmonizer, and Georgia a Foremost Agent of Moral Civilization.

THE State Constitution of 1868 was in the main a good one, and in ordinary times would have been cherished by the people. It contained some minor defects, that could have been remedied. It was, as a whole, a document of organic law, well suited to the changed condition of public affairs, progressive, liberal, and yet conservative. But unfortunately the method of its formation and imposition upon the State was a standing shock to the public sentiment of a free people. It was the creature of bayonet reconstruction, and had been forced upon the commonwealth. Whatever merits it had were ignored in the resentment born of its origin and the manner of its enforcement.

As soon as the Democrats came into power the agitation began for a convention to frame a new Constitution that should be the product of the State's free volition. The theme continued to be discussed, and excite a growing interest, until the Legislature of 1877, after a protracted discussion of the subject, passed a bill introduced by Hon. A. D. Candler, of Hall county, submitting the issue to the people to say by a popular election, whether a convention should be held. The election was held on the second Tuesday in June, 1877, and resulted in the

success of the convention movement. The vote was small, aggregating only 87,238, out of the 214,665 polls in the State, of which 48,181 were for, and 39,057 against, the convention, the majority being 9,124.

The Convention was called together on the 11th day of July, 1877, by the Governor. There were 194 delegates. The body was a very able one, and its deliberations were marked by dignity. Ex-Gov. Charles J. Jenkins was elected President, a fitting conclusion to his honored, useful and illustrious public career. There were some very strong men in the convention. It included among others, Gen. Robert Toombs, Judge W. M. Reese, Gen. L. J. Gartrell, Judge Thos. G. Lawson, Judge Augustus Reese, Hon. Joshua Hill, Gen. A. R. Lawton, Judge M. L. Mershon, Judge A. H. Hansell, Hon. J. L. Seward, Hon. Nelson Tift, Hon. T. L. Guerry, Judge D. B. Harrell, Hon. T. M. Furlow, Col. M. W Lewis, Judge T. J. Simmons, Gen. Eli Warren, Judge J. T. Willis, Col. N. J. Hammond, Judge Hugh Buchanan, Judge L. H. Featherston, Judge S. W Harris, Judge J. R. Brown, Gen. W T. Wofford, Judge Aug. R. Wright, Hon. L. N. Trammell, Judge J. C. Fain, Col. W K. Moore, S. Hawkins, C. J. Wellborn, A. W Holcombe, W O. Tuggle, Col. John Collier, Col. P L. Mynatt, Col. Wier Boyd, Dr. H. R. Casey, Hon. Pope Barrow, Col. J. M. Pace, W R. Gorman, Col. Wm. T. Thompson, Porter Ingram, E. C. Grier, Judge J. L. Wimberley, B. E. Russell, Hon. J. L. Seward, Col. John Screven, J. L. Warren, W R. Gignilliatt, Waring Russell, Col. John M. Guerard, Geo. F Pierce, Jr., R. L. Warthen.

There was in the body one ex-Governor, two United States Senators, eight Congressmen, seventeen Judges, and ex-legislators innumerable. The convention continued in session from the 11th day of July until the 25th day of August, 1877. There was much discussion and some of it was very able. Some very radical changes were made and striking innovations were grafted upon the organic law. The theory of State aid was killed and buried, and a prohibition against increase of the public debt or any expenditure of public money for any purpose save running the State government was passed. The terms of officers were shortened one-half and salaries reduced, making elections more frequent. The selection of Judges and Solicitors was taken from the appointment of the Executive with the consent of the Senate, and changed to an election by the General Assembly. The largest subject before the convention was the control of railroads by the State. This was a pet measure of Gen. Toombs, and was pressed by him with vigor and ability, and finally was carried. The homestead was largely reduced. The payment of the fraudulent bonds was forever prohibited. An endeavor

was made to check local legislation by requiring notice to be given in the counties affected by it, and by cumbering legislative action upon it by unusual formalities, the practical operation of which has been to protract the time and increase the trouble without diminishing the quantity of local legislation. Biennial sessions were adopted.

The location of the capital at Atlanta or Milledgeville was left to the people to decide by an election, as also the choice of the homestead of 1868 or the one of 1877. The election for ratification of the new constitution, the location of the capital and the choice of a Homestead was held on the 5th day of December. Atlanta and Milledgeville had a warm contest for the capital. The battle was lively and somewhat acrimonious. The arguments used were some of them of a novel and farcical character. That Milledgeville was a stagnant locality where the average legislator would browse in public retrogradation, and that Atlanta was a den of immeasurable iniquity whose atmosphere would ruthlessly poison the virtue of the most faultless legislative body, was irrefutably proven by incontestible evidence. The press entered into the fight with wonderful earnestness. Atlanta was mathematically demonstrated to be responsible for every enormity of the Bullock régime and a despotic reconstruction, while in the same unanswerable manner Milledgeville was shown to be only fit for a conclave of fossils. Atlanta fought the struggle with characteristic liberality and enterprise. She had her committees and flooded the State with documents.

The vote stood: for ratification of the Constitution 110,442: against, 40,947: whole vote, 151,389, out of 214,665: majority for Constitution, 69,495. The vote on the capital was for Atlanta 99,147: for Milledgeville, 55,201: majority for Atlanta, 43,946. The vote for the Homestead of 1877 was 94,722: for that of 1868, 52,000: majority for Homestead of 1877, 42,722.

It was an interesting incident of the convention that it exceeded the $25,000, prescribed in the Act of the legislature calling it, to pay its expenses. Under the written opinion of the Attorney General, R. N. Ely, the Treasurer, J. W Renfroe, declined to pay beyond the $25.000. Gen. Toombs vowed that its deliberations should not be stopped for want of funds, and he advanced $20,000 to pay its further expenses. The convention passed an ordinance covering the amount, and Gov. Colquitt repaid the loan. It was made quite a cause of complaint in the gubernatorial campaign of 1880, that Gov Colquitt had no right to repay the money without an act of the Legislature authorizing it. But the people brushed away the causeless censure. Gen. Toombs did a

similar thing when Gov Smith was first elected. Money was needed to run the State. Bullock had left us stranded and without credit. Gen. Toombs raised $300,000 on his own account to bridge over the emergency, until money could come in by taxes.

Gov. Colquitt appointed in January, 1877, the following Judges: Geo. N. Lester, Blue Ridge Circuit: Martin J. Crawford, Chattahoochee Circuit: C. D. McCutchen, Cherokee Circuit: H. Buchanan, Coweta Circuit: H. Tompkins, Eastern Circuit: C. Peeples, Atlanta Circuit: E. H. Pottle, Northern Circuit: J. M. Clark, South Western Circuit. Judge C. D. McCutchen was a gallant cavalry officer in the Regiment of Col. I. W. Avery. He had been a State Senator. He was a lawyer of unusual ability and legal discernment, and a gentleman of the highest social and Christian character, possessing a punctilious integrity, severe truthfulness, and a finely balanced temper and judgment. He made one of the best judges in the State. Notwithstanding his admirable spirit of equable temper, he was a very positive Judge, evincing his sturdy decision conspicuously in making the Grand Jury of Bartow county strike some objectionable matter from its presentments, the novel altercation exciting State interest, and resulting in the complete popular endorsement of Judge McCutchen.

Judge Henry Tompkins, of the Eastern Circuit, was a handsome young Alabamian, who fought at sixteen years of age, in the war, and located in Savannah after the surrender. He made a capable and popular Judge. Judge Peeples died in June, 1877, and Gov. Colquitt appointed George Hillyer in his place. Judge B. Hill, of the Macon Circuit, died in September, 1877, and Gov. Colquitt appointed W L. Grice in the vacancy. Judge J. M. Clark, of the South-western circuit, died in June, 1877, and Gov. Colquitt appointed on that bench a very bright, handsome young lawyer, who had been Solicitor of that circuit, Charles F Crisp, a son of the well-known tragedian, and a character full of fine promise.

In November, 1878, the following Judges were elected under the new Constitution of 1877; George Hillyer, Atlanta circuit; C. Snead, Augusta circuit; J. L. Harris, Brunswick circuit; Alex. M. Speer, Flint circuit; Thomas J. Simmons, Macon circuit; H. V Johnson, Middle circuit; Thomas G. Lawson, Ocmulgee circuit; J. W H. Underwood, Rome circuit; C. F Crisp, S. Western circuit; and Alex. S. Erwin, Western circuit. The election of Judges by the General Assembly, has proven to be very objectionable, consuming much time of the body, creating a disagreeable experience of electioneering, resulting in combinations of

influence injurious to a choice by merit, and not beneficial to the State Judiciary.

During October, of the year 1877, Rutherford B. Hayes, the President of the United States, visited Georgia, accompanied by his wife, Mr. Wm. M. Evarts, Secretary of State, and D. M. Key, Postmaster-General. The demonstration of respect in Atlanta was overwhelming. Gov. Colquitt and the Mayor of Atlanta, Dr. N. L. Angier, both made addresses of welcome. The speech of Gov. Colquitt was the perfection of good taste and eloquence, and was copied over the whole Union. It was a singularly felicitous utterance. A banquet was given to the distinguished guest, and Gov. Colquitt honored him with a reception at the Executive mansion.

The most brilliant and successful single feature of Gov. Colquitt's remarkably beneficial administration has been its financial results. Watching the minutest details of expenditure in his control, he has, in all matters requiring it, maintained the good faith and proper liberality of the State. And, singularly noticeable, the improvement of the public finances has not only been shown in the ordinary, but in unusual ways. It seems as if some fortunate fatality had guided the pecuniary affairs of the commonwealth during this long rule of Gov. Colquitt, while by a curious piece of fortune, no Executive ever suffered so much of annoying animadversion. While every year has shown the State's progress so far as her treasury is concerned, concurrently with such betterment of money matters, there has been incessant growling at the Chief Magistrate. Large measures of public good were only regarded from a stand-point of dissatisfaction at alleged defects. Heavy payments into the public treasury from unexpected sources, literally picked up, afforded themes for such envenomed grumbling as would indicate that the instrument of these benefactions was an enemy to the commonwealth and the source of injury to the popular interests. The instances of this sort of treatment are numerous and interesting.

The State bought the equipments of the State Road from the United States Government, after the war, and paid for them. Gov. Bullock employed Col. Baugh to re-open the settlement and get back some of the money in excess of the real value. A number of men joined Baugh. Gov. Smith enlarged the contract from 12 1-2 per cent. to not exceed 25 per cent. commission, and allowed more attorneys to come in. The gentlemen engaged were Robert Baugh, Gen. A. C. Garlington, Col. R. A. Alston, J. C. Fain, Henry R. Jackson, A. R. Lawton, W. S. Basinger, W. A. Prescott and C. D. Willard. The claim was

pushed through by that very electrical worker, Col. R. A. Alston, and $199,038.58 was collected from the United States Government. Gov. Colquitt allowed the ten attorneys to have their 25 per cent., and $152,278.94 went into the State Treasury to relieve the people. Yet, strange to say, there was less rejoicing over the large gain of money than growling over the fees paid the attorneys under a contract fixed by Gov. Colquitt's predecessors.

But it was impossible to balk Gov. Colquitt's evidently inevitable mission of financial benefit to the State. He kept up his enlargement of State funds. Col. W O. Tuggle found out that there had been an error of interest growing out of a claim of the State against the United States Government, connected with the Indian hostilities of 1836, in Georgia. The claim was settled. Gov. Colquitt gave Col. Tuggle authority to re-open the matter, having first written to Hon. A. H. Stephens and Hon. H. P. Bell to learn if any such claim was being prosecuted at Washington, and receiving reply in the negative. Col. Tuggle collected the sum of $72,296.94, received his fee of 15 per cent., amounting to 10,844.54, and paid the balance into the State Treasury, of $61,452.40. It was not an unreasonable thing to suppose that some considerable flush of popular satisfaction would have ensued over this spontaneous and munificent chance of good fortune. But there was a lively episode of altercation over the rich dropping.

Hon. James A. Green of Baldwin county was agent of the State for some claims, and thought he ought to have a portion of Col. Tuggle's fee. Mr. Green had done none of the work, but he memorialized the General Assembly of which he was a member on the subject. A committee was appointed, C. J. Harris, R. C. Humber and H. T. Hollis. The House passed a resolution asking the Governor for the facts, and he gave them in a message. Mr. Humber moved to lay the message on the table. Mr. Green's authority covered claims of the war of 1812 and "former wars." The committee thought "former wars" included the war of 1836, and that Mr. Green had rights, "though he does not appear to have had anything to do with this particular claim," but proposed "to leave the contestants to the courts of the country." Mr. Tuggle has not been disturbed in his fee.

Thus had the Governor seen in the first two years of his fortunate administration $213,731.34 picked up and put in the public purse. But this was not all. In 1874 an act passed to tax railroads like other property. Many roads claimed chartered exemptions. Gov. Smith pressed the matter by suits and obtained some money.

The decisions of the courts were mostly against the State. The litigation was re-opened by Major R. N. Ely, Governor Colquitt's Attorney General, by the authority of the Governor. Major Ely, aided by Gen. Robert Toombs, pressed new suits vigorously and ably. The handsome amount of $216,683.27 of back taxes was collected for the State for the years 1874, 1875 and subsequent years. And a principle was established that will bring a large annual revenue into the State from this source. This was a valuable installment for the Treasury, but there was yet some very acrimonious howling at the Executive, Major Ely and Gen. Toombs, on account of their fees. Legislative committees were appointed and sent for witnesses and investigated, and there was a mighty stir to no purpose. Here now was $430,414.61 plumped into the people's purse from extraneous and extraordinary sources, and yet every dollar had been the subject of growling and censure.

The earnings of the Macon and Brunswick road, as before stated, running to $164,608.12, can be added to this amount. When Gov. Colquitt was inaugurated, the State was carrying a floating debt of $350,000. In 1877 this was reduced to $200,000, and in 1878 completely wiped out. The public debt, when Gov. Colquitt came in, was $11,095,879. It is now $9,643,500, having been reduced $1,452,379, besides four per cent. bonds issued and redeemed. The rate of taxation in 1876 was five-tenths of one per cent., or fifty cents on the hundred dollars, and raised $1,229,268 on a taxable property of $245,853,750. The rate of taxation has been reduced under Gov. Colquitt's régime to three-tenths of one per cent., or thirty cents on the hundred dollars, and will raise in 1881 $750,000 on the taxable property of $250,000,000. This is a marvelous result in five years—a reduction of taxes, two-fifths or almost a half, and relieving the people from $679,268 that they paid in tax burdens in 1876. And so far as the Executive of the State can bring such an end, credit is due to Governor Colquitt.

It has not been simply in large matters that there has occurred a marked reduction of expense, but, also, in the smaller affairs of State administration, under the good rule of this conscientious chief magistrate, the Christian Colquitt. The saving in the cost of running the lunatic asylum was $40,000 in the years 1877 and 1878, and out of the retrenchment was erected a $25,000 addition to the institution for colored patients. The deaf and dumb and blind asylums were also more economically administered. The expenditures under the contingent, printing and public building funds were diminished one-third. Even in the minor items of postage, proclamations, gas, coal and sta-

tionery, there were substantial economizings. Proclamation printing was decreased from over $3,000 to less than $1,000 for instance. And as these economies were begun before the convention of 1877 and the legislatures that followed, and, as Gov. Colquitt suggested the reforms inaugurated by these bodies in his first special message in January, 1877, the credit of the valuable retrenchments that have been made must be accorded to him.

And in spite of the active and unceasing misrepresentation of his acts, the masses of the people appreciated his course and overwhelmingly endorsed him. The anomalies of his public career have been many and striking, but none more than that one of the most valuable administrations of Georgia history has been so rancorously assailed and so signally approved. The crusades against him have been aggressive and implacable, and have seemed to be mighty and invincible. Yet when the test has come, and the public has spoken its verdicts, the popular opinion has shown itself so crushingly against his assailants, and given in this age and country of small political majorities such ponderous endorsement as to make men doubt the evidence of their own senses, and wonder that minorities can be so disproportionately noisy and phenomenal majorities be so quiet.

An event worthy of noting in the early part of Gov. Colquitt's administration, was the assembling of the International Sunday School convention in 1878, in Atlanta. This body, representing a constituency of eight millions of Sunday School teachers and scholars, the Christian children of the English-speaking world of all denominations, was the grandest and most important convocation of the century. It had as delegates the leading spirits of the world in eloquence, piety and Christian influence—the men of power and genius in every section—profound thinkers, transcendent orators, learned and devout divines of world-wide fame. There never has been a gathering of brighter and more illustrious men. It was an unbroken galaxy of Christian intellectualities.

It was a proud, personal triumph as well as a rare tribute to the State that the Governor, by his personal magnetism and moral and mental power, captured this body of superior men. Gov. Colquitt was unanimously chosen as the President of this impressive convention for four years. He made some of the most eloquent speeches of the session, and left an impress upon its sacred deliberations and critical membership that was an honor to himself and Georgia. To the four corners of the globe was carried the praises of our enlightened commonwealth and her representative Christian Governor.

It was a gratifying continuation of this unusual and enviable influence and repute, that Governor Colquitt was invited to, and attended vast religious gatherings of the Christian thinkers and workers of the North, at Chatauqua and Brooklyn. His speeches were equal to the great occasions, and reacted nobly upon the State. Among recognized intellectual powers he took a foremost stand. He contributed some potential outgivings in the cause of national fraternization, and gave to Georgia the lofty prestige due to a sectional harmonizer. It was an august mission for any man, a mission requiring brain and eloquence and spiritual fervor—a mission strengthened by a handsome presence, a noble face, and the warm, genial and magnetic Southern manner that make up the physical personality of Gov. Colquitt. Few men could have gone to these focal centers of critical intelligence and have sustained, so brilliantly and with such harvest of fame, so trying an ordeal. And not the least of its superb results was that the State of Georgia was thereby placed foremost among the admitted agencies of moral civilization.

CHAPTER XLVII.

THE EXTRAORDINARY CRUSADE OF HOSTILITY TO GOV COLQUITT.

The Democratic Party of the State Overgrown and Unwieldy.—Dissension Inevitable.—Universal Desire for Office.—Gov. Colquitt's Popularity.—His Friends after Place.—The Torrent of Applications and Disappointments.—Gov. Colquitt's Inaugural.—The Assaults upon Him Begin.—The North-eastern Bond Endorsement.—A Great Calumny.—Gov. Colquitt's Ringing Message Demanding Investigation.—The Legislature of 1878-79.—Its Personelle.—H. D. McDaniel—J. B. Cumming.—E. P. Howell.—H. G. Turner.—W. M. Hammond.—A. L. Miller.—L. F. Garrard.—The North-eastern Bond Enquiry.—The Complete Exoneration of Gov. Colquitt.—Wholesale Investigation.—A Carnival of Nosing.—The Comptroller General, W L. Goldsmith.—Bribery Attempted.—Excitement.—Goldsmith Impeached.—The Trial.—A Defence Full of Mistakes.—Judge Warner as Presiding Officer.—The Defence Breaks Down.—The Comptroller's Conviction and Sentence.—The Treasurer.—Attempt and Failure of His Impeachment.—Prof. Orr.—Col. N. C. Barnett and His Wax.—Capt. John W. Nelms.—The Principal Keeper of the Penitentiary.—A Lively Investigation.—The Effort to Involve Gov. Colquitt.—An Exciting Episode.—The Recoil of a Personal Attack.—Gov. Colquitt's Fine Attitude Amid an Epidemic of Suspicion.

THE overwhelming majority of the Democratic party in Georgia in 1877, would at first flush seem a favorable augury for Gov. Colquitt and his administration. It was really a state of things full of the worst portent. The organization was overgrown, unwieldy, and heterogeneous. It was composed of the confused and illy-welded fragments of the conflicting parties of half a century of shifting political strife. Antagonism to reconstruction had, under the inspiration of a common Southern sentiment, united under a common party banner every diversity of party adherent, representing every shade of public opinion, and the most irreconcilable party theories. It was a curious jumblement of views and prejudices, destined inevitably to dissensions in the absence of opposition to weld together its incongruous elements.

There were many most potent causes to breed trouble in the vast and loosely organized party. The war had impoverished the whole people, and the aspirants for office were countless. It was a clamorous question of bread. The smallest public salaries had a value strangely disproportioned to their amount, and the character and abilities of the men seek-

ing them. Places were very few, and applicants innumerable and importunate.

Again Gov. Colquitt had become a sort of public idol. His popularity was phenomenal. His wonderful agreeability, captivating tact, and shining moral life, endeared him to men of all classes. He had hundreds upon hundreds of personal friends, who worked zealously for his election, and each one thought that he should be preferred above all others, and granted anything he might wish. It has yet to be recorded that any man's friendship stood the test of a disappointment of his office aspirations, even though it was a conclusively proper disappointment.

There will never, in the history of Georgia, be such another universal rush for office as there was in the year of our Lord eighteen hundred and seventy-seven. From the day that Gov. Colquitt was nominated, the torrent of earnest applications poured in upon him. From all parts of the State they came, running to hundreds, for each position in his gift. Friends of long standing, with touching pleas of necessity, appealed to him for the opportunity to make a living. There were pathetic revelations of pecuniary distress, that would have moved any heart, much less, one so sympathetic as Gov. Colquitt's. The ordeal was appalling. This siege of the friendly unfortunates, many of them lifetime intimates in sore need, was the most trying situation of his life. The offices were pitifully meager. Five places in the Executive office, an Attorney General, a Keeper of the Penitentiary, a Librarian, ten Superior Court Judges, and as many Solicitors, were the small sum total of the patronage in his gift,—about thirty, all told. And for these, hungry, desperate men, by the thousand, were fervently entreating. There were over one hundred applications for the office of Principal Keeper of the Penitentiary; and as many for State Librarian. Thirteen able lawyers wanted to be Solicitor of the South Western Circuit, and eleven to be Judge, making twenty-four in all, in one little circuit of the most intelligent and influential leaders of opinion, of whom twenty-three must be offended. One friend was held, and twenty-three active, prominent, implacable enemies were gained at one stroke.

Gov. Colquitt gazed aghast at the situation, and realized, though not fully, for no man could anticipate it, the storm that was brewing. It was an extraordinary time. The hunger for place was exaggerated by long deprivation and men's really stern needs. With Gov Colquitt's election by such an unheard-of majority, it looked as if the political millenium had come to his necessitous supporters. Men seemed to

think that the offices were ample for any demand. Hundreds applied, designating no office, but asking for some place, and leaving it to the Governor's discrimination to select one that would suit their respective qualities. There can be no more pathetic and suggestive reading than this vast collection of letters filed in the Executive Department, and a hundred years from now the curious delver of that day into the official records of this time, will read in the plaintive story of these multitudinous applications, the most eloquent portrayal of a State's impoverishment, and of the cruel visitation of implacable enmity that came upon the Executive, whose offending was that he did not have an office for every worthy applicant.

Gov Colquitt was inaugurated on the 12th day of January, 1877. His chaste and eloquent inaugural concluded in these exquisite words:

"Our work is before us, gentlemen, and a grand achievement is within our grasp. That work is the restoration of a vast heritage, which a sad fortune has sorely wasted and damaged. It is to evoke a thousand splendid resources, now unutilized. It is to maintain the proudest and noblest traditions—an honor unsullied—the status of as worthy and respectable a constituency as exists, and its position by the side of the most advanced of commonwealths. This labor, vast as it is, exacts no impossible thing at our hands. With the blessings of Heaven, and the agencies of clear heads and pure hearts, it may be accomplished.

"Again solemnly invoking the Divine aid upon our efforts to serve our beloved State, I now take the oath of office."

He immediately made his appointments, and the mutterings of the public thunder began. There was no delay in the gathering of the storm. No human power could parallel the miracle of the loaves and fishes, and make thirty offices embrace 3,000 people. There were 2,970 disappointed men; they were scattered over the State; they were the best citizens, influential and active, and they made a nucleus of hostility that from that day to this has growled at and battered the Executive, heading an implacable opposition to Gov. Colquitt, and making his administration, perhaps, the most turbulent of the century. No Executive in the annals of the State has had such an unremitting and virulent crusade of assault as Gov. Colquitt.

He differed from Gov. Brown, and from his great father, Walter T. Colquitt, in this, that while they made aggressive battle, he fought with an invincible defensiveness. In all the fierce warfare kept up incessantly against Gov. Colquitt and his administration, with his assailants striking fiercely not only his public acts, but malignantly seeking to besmirch his personal honor and honesty, to the eternal credit of his resolute religious firmness be it said, that he never

attempted to retaliate a slander or inflict an injury. Unyielding, and set immovably against his foes, he never touched them to wound, but with a heroism of patience, as unusual as it was lofty, he was satisfied to win the triumph of his reputation from the overwhelming verdict of the people, leaving his enemies to public opinion, and unscathed by the malice they deserved.

It will be a noble figure in Georgia history, this comely Christian Governor striking down the hot calumnies against his private and public fame, without having sullied his victory by the indulgence of even a justifiable resentment against his slanderers. The figure will grow brighter with time. A more unsparing temper, and a campaign of recrimination, might have saved him from many an attack provoked by his moderation, but it could not have added one particle to his complete victory.

The act of Gov. Colquitt's administration that was most unscrupulously used against him, was the endorsement of the bonds of the North-eastern Railroad for $260,000, or $6,500 per mile for forty miles. The matter was investigated fully in every possible light for weeks by a legislative committee, and not only sworn legal evidence taken, but even rumors sifted under oath. It constitutes one of the most extraordinary episodes of either individual or public record. That so flimsy a pretext should be made the basis of so grave a calumny and so extended an official inquiry, is something anomalous, and savors of the farcical. The occurrence illustrates how an unreal thing can be exaggerated and falsified by a whispering malice into such proportions that honest human character totters in the balance, and a great State becomes the grand inquest to puncture the aspersion. It shows further, how an act done under the purest considerations of private conscience and public duty can be perverted into wrong under an ingenious hostility.

The aid of the State was pledged to this road in 1870. In 1874, State aid generally was repealed except where vested. The same legislature of 1874, by resolution, excepted this road from the general repeal. Gov. Smith appointed J. H. Powers, J. A. Grant and C. B. Wallace to inspect the road for State aid, and they reported favorably January 9, 1877, a few days before Gov. Colquitt's inauguration. Gov. Colquitt treated the matter very carefully. He advised its submission to the courts. The Supreme Court decided that it had no jurisdiction in the case, and referred the matter back to the Governor.

The Governor finally granted the aid to save the road from being sold

under an indebtedness of some $237,632.97, incurred upon the faith of the State, that the State's endorsement would be given when the conditions of the law were complied with. The Atlanta Rolling mill and Citizen's Bank had large interest in the decision, the Rolling mill having furnished iron for the road, and the bank backing the mill. Mr. J. W Murphy, the Treasurer's clerk, was employed by the Rolling mill to get up the statements of leading members of the legislature of 1874 to show that the intention was to except the North Eastern railroad from the operation of State aid. Hon. B. H. Hill was also employed by the Rolling mill to secure the endorsement. The subject created a profound interest. Of the legislature of 1874, A. O. Bacon, Speaker, L. N. Trammell, President, T. J. Simmons, Chairman Finance Committee, Geo. A. Mercer, Geo. F Pierce, Jr., Chairman Judiciary Committee, H. D. McDaniel, and also Gen. Toombs, Gen. A. R. Lawton and ex-Gov. Jos. E. Brown favored the endorsement.

Mr. Goodnow, general manager of the Schofield rolling mill, wrote a private letter expressing the intimation that Gov. Colquitt had yielded to improper considerations in granting the aid, and the air became filled with the painful rumors that the Executive had participated in Mr. Murphy's fee. That so incredible a calumny should find a lodgment in the public mind was indeed a shock to Gov. Colquitt, and he met it with indignant spirit.

The legislature of 1878 met November 6, 1878. It proved to be a session of extraordinary work that this body held. Hon. R. E. Lester was elected President of the Senate, and Hon. A. O. Bacon, Speaker of the House. Among the Senators were D. A. Russell, E. C. Bower, John T. Clark, Wm. Harrison, J. M. Hudson, J. C. Clements, Jos. B. Cumming, J. A. Stephens, C. W Du Bose, T. B. Cabaniss, T. W Grimes, H. D. McDaniel, J. A. Speer, J. W Preston, H. R. Casey, S. W Lumpkin, A. D. Candler, E. P. Howell, A. W Holcombe, S. Grantland, C. J. Wellborn, J. C. Fain, Saml. Hawkins. This Senate was a very strong one, and had in it some gentlemen of superior ability and decision.

Mr. McDaniel is in the present Senate. A sound thinker, a clear speaker, having a well-balanced temper and judgment, direct and honest, winning universal respect by his dignity and sincerity, Mr. McDaniel has been a most potential member of the legislature, always carrying great weight. It has been a striking evidence of the large influence he has exercised, that a considerable impediment in his speech has been no barrier to the exalted appreciation of him entertained by the General

Assembly and the public. Men in listening to his strong, sensible views so clearly expressed, forget entirely the manner of their utterance. Mr. J. W Preston was a marked Senator in this body. A very ready, extemporaneous speaker, earnest and faithful to his convictions, Mr. Preston was a recognized leader. Perhaps, the most polished debater in the Senate was Major J. B. Cumming. There is a peculiarly musical tone in his delivery, and he has a diction chaste and ornate. Mr. A. D. Candler was a forcible debater, always speaking with an emphasis and directness that insured attention and gave him weight. Mr. Clements is now a member of Congress, and was a modest, solid Senator then, a practical, clear-headed, positive legislator, who enjoyed universal respect. Mr. T B. Cabaniss held an excellent position and spoke well. A fine debater was Judge John T. Clarke, a model of logical argument. T. W Grimes was a young Senator, blending singularly a fine courtesy with an uncommon decisiveness of character and independence of conviction. Col. J. C. Fain is now judge of the Cherokee circuit, and had an exceptional power of management. Capt. E. P Howell was the very essence of a practical, common sense, animated by an exceedingly rich humor, and grappling all questions and measures with force and an unvarying success. All of these men will impress themselves on the future of the State.

The House, also, had some notable and promising characters. Among these were A. O. Bacon, T. W Milner, R. A. Nisbet, H. G. Turner, A. H. Gray, A. P Adams, W H. Hulsey, P. L. Mynatt, W. R. Rankin, Allen Fort, N. L. Hutchins, J. E. Redwine, W J. Northern, R. L. McWhorter, A. L. Miller, J. H. Polhill, H. C Roney, Reese Crawford, L. F. Garrard, L. F. Anderson, James M. Smith, H. G. Wright, John I. Hall, J. C. Maund, Wm. M. Hammond, A. H. Cox, J. F Awtry, J. A. R. Hanks and F H. Colley. Col. H. G. Turner is now a member of Congress, and was the leader of the House. His utterances commanded a remarkable attention. Having little oratorical grace, speaking without fervor and very plainly, and often too low for hearing, yet members always showed an undisguised eagerness to hear what he had to say, and his position on any measure generally decided its fate. His legislative career was a singular demonstration of personal influence. He was rather under-sized, stoutish, with a large, expansive forehead running to baldness, lit up by dark eyes, and he was very quiet, grave and polite in his simple manners.

W M. Hammond ranked very high. His fine face denoted intelligence and culture. A Carolinian by birth, and a member of the gifted

Hammond blood of that State, he has, in Georgia, taken the high position due to his strong and cultured intellect, graceful courtesy and eloquent speaking power. Mr. J. H. Polhill was a recognized leader, a lawyer of ability, and a person of integrity and convictions. One of the most marked men in the body, and possessing some exceptional qualities, was A. L. Miller. A slender, clear-faced gentleman, with searching, coal-black eyes, he had as much power on the floor as any member in the House. There was no more successful debater. His talks could hardly be called speeches, but were rather keen thrusts and incisive statements, cutting to the quick the weak points of the opposition, and presenting plainly the practical ones of his own side. He was inimitable in defending an assaulted report of the finance committee, of which he generally took the lead. Mr. Miller made a hobby of economy, and rather ran it to extremes. A ready parliamentarian, he shrewdly anticipated defeat by some adroit concession that secured him a modified victory. Mr. L. F Garrard was one of the brightest and most active members, generally uniting his energies with Mr. Miller. He originated several large public financial measures, and he had an unwearied zeal and tact in getting them through. Bold, combative and ready, Mr. Garrard took an unusual stand for a new and young legislator.

A marked young member also was Arthur H. Gray, whose frankness is a refreshing and uncommon quality in a day of political hypocrisy. H. G. Wright was witty and popular. Perhaps the most original character in the House was John C. Maund, a man of peculiar jest and quaintly practical. His hard sense was flavored with an unctuous and perennial humor. One of the brilliant young members was A. H. Cox, a natural orator and legislator. His ringing voice penetrated the House more resonantly than any one, and his clear tones never carried a weak utterance. No man commanded a more attentive hearing than Mr. Cox. Col. P L. Mynatt was a most useful and influential legislator. A very gifted young representative was A. P Adams, eloquent, argumentative, the master of a compact logic. James M. Smith of Oglethorpe county, was a progressive, successful farmer of large operations, entirely at home on the legislative floor. W H. Hulsey was a gallant officer in the war, was made Mayor of Atlanta soon after, and was a bright, pleasant, promising young fellow.

The action of this legislature will ever be a memorable chapter of Georgia history. It settled the North Eastern railroad bond calumny upon the Governor. Shocked and indignant at the aspersion, Gov.

Colquitt met it with the high spirit that belonged to the man, and he sent into the General Assembly the following matchless message, as eloquent, fitting, and sententious a paper as was ever penned:

"EXECUTIVE DEPARTMENT,
ATLANTA, GA., November 6, 1878.

"TO THE GENERAL ASSEMBLY:

"A grievous necessity has been imposed upon me to demand at your hands a thorough investigation of my motives and conduct, as the Executive of Georgia, in placing the State's endorsement upon the bonds of the North-eastern railroad. This necessity has been created by widely circulated slanders and innuendoes, vile and malignant, and so mendacious and wicked as to make all comment and paraphrase upon them utterly futile. Nothing but a thorough sifting of my every motive and act in regard to these bonds, as far as human insight and judgment can reach these, can satisfy aggrieved honor, or give such entire assurance to the people of Georgia, as they have a right to demand in the premises. To a man who values his good name far more than life, it would be an act of supremest injustice to deny the most plenary vindication rendered in the most august and authoritative form known to the laws, or to public opinion. To the people of this great Commonwealth, it is of the last consequence that they should know beyond all peradventure, that the man who fills, at their call, the chief seat of authority, is above reproach or suspicion.

"My denunciations of an awful and stupendous slander, forged and uttered to dishonor me, will not be enough. The General Assembly of this State—a co ordinate power—is appealed to for that justice which, while it will, I know full well, exonerate me as a man, will also vindicate the fair fame of Georgia, assailed by cruel slanders on her Chief Executive. ALFRED H. COLQUITT."

This ringing document went over the State carrying like an electric spell the inspiration of its resenting innocence and stern defiance. There was never a more stirring or exquisite expression of a wounded spirit of honor. A joint committee was appointed in conformity with the request of the Governor, to investigate the matter, consisting of A. H. Cox, W M. Hammond, R. C. Humber, H. G. Wright, John I. Hall, W J. Northern, Allen Fort and A. H. Gray of the House, and J. W Preston, J. F. Troutman, H. R. Casey, J. P. Tison and Saml. Hawkins of the Senate.

The investigation continued, and the committee reported on the 12th day of December, 1878. During the inquiry there were many incidents, to keep the public sense excited. A personal difficulty nearly occurred between Maj. J. W Murphy and Hon. B. W Hill, and a suit was started between them about the fee paid by the Rolling mill. It was a painful ordeal for a proud man like Gov. Colquitt, to thus have his private integrity and official honor under investigation. But such is the disagreeable accompaniment of public trust. Gov. Colquitt's conduct in this unspeakable trial was perfect. He stood serene,

patient, unirritated, acting with a noble christian dignity that endeared him to the public esteem. The majority of the committee thus reported:

"In the opinion of this committee, the reports and rumors that connect the name of the Governor with any improper conduct in the matter of the endorsement of the bonds of the North eastern Railroad Company, are vile and malignant slanders."

The minority of the committee, Wm. M. Hammond and R. C. Humber, thus reported:

"We brand as a libel the insinuation that the determination of Governor Colquitt to endorse the bonds was induced by any sinister influence or unworthy motive."

The committee was unanimous and emphatic in vindicating the Governor, but divided upon the question of approving the action of Maj. J. W Murphy in taking a fee in the matter. The majority of the committee exonerated Mr. Murphy. The minority declared it an abuse for any government employés to receive rewards in consideration of influencing or attempting to influence the official conduct of any officers of the government.

The reports being made on the 12th of December, 1878, and the legislature adjourning on the 13th, there was not time for an examination by the body of the voluminous evidence. The action on the reports was therefore deferred until the summer session. Mr. McDaniel of the Senate, offered this resolution.

"*Resolved*, That this General Assembly cannot adjourn, in justice to a co-ordinate branch of the Government, to themselves, and to the State, without placing upon the record an avowal of our undiminished confidence in the integrity and purity of the Governor of our State."

Mr. Cumming offered the following amendment, which was added, and the resolution passed both branches:

"*Resolved*, That the postponement by the General Assembly of action on the report of the Investigating Committee, is not to be construed as an expression that its confidence in the character of the Governor, a character exalted by his civil, military and private career, is at all shaken, but such postponement by the General Assembly is simply due to its own appreciation of the proprieties of judicial proceedings, which forbid judgment in any and all cases, before the cases have been heard."

The legislature reassembled July 2d, 1879, and during this session the committee united upon the following, which was adopted by the body as the final conclusive action upon this matter, entirely and formally relieving Gov. Colquitt.

"Your committee, from the want of any evidence sustaining such charges, and from the mass of evidence disproving such charges, report this conclusion: That his Excellency deserves, at the hands of the General Assembly, complete vindication on the issues

made by him, and specified above. Your committee have unanimously concluded that his Excellency did not, in any way, shape or form, participate in the fee received by Mr. John W Murphy; that no offer of any such thing was made by any one to his Excellency; that said fee did not control his conduct in said endorsement, and that, whether the act of endorsement was legal or illegal, the motives of the Governor were pure."

While this inquiry so signally exonerated the Governor, it seemed as if its effect was to stimulate an epidemic of legislative investigation. A series of inquests was inaugurated. Committees were appointed to look into the Comptroller General's office, the Treasury, the Department of Agriculture, the State School Commissioner's office, the penitentiary system, the public printer and the Secretary-of-State's office. It was a general nosing for wrong. The Legislature put itself upon a prowling recognizance for dark deeds in the various departments. In the wild land office of the comptroller's department there had been for a year or two public mutterings of mismanagement and dissatisfaction. And a committee had spent weeks looking into the trouble. It found much cause of complaint, and a majority of the committee, D. A. Russell, P D. Davis, L. Strickland and J. C. Maund, recommended that all sales of wild land under transferred *fi. fas.*, be declared null and void. Mr. A. D. Candler made a minority report dissenting from this recommendation. Upon the heels of these reports, Mr. P D. Davis and L. Strickland startled the Legislature by the declaration, that Mr. H. P. Wright had sought to induce them by bribery to sign a paper prepared by the Comptroller General, making some modifications in their reports.

It would be difficult to convey the excitement created by this disclosure. The wild land committee made a supplemental report, recommending that articles of impeachment be preferred against Col. W L. Goldsmith, the comptroller. A committee of thirteen, C. D. Phillips, R. L. McWhorter, B. M. Davis, G. R. Sibley, R. A. Cannon, W J. Pike, A. C. Westbrook, W T. Irvine, J. A. R. Hanks, A. M. Du Dose and F H. Colley, was appointed to investigate the facts, and recommend action. The first eight reported articles of impeachment, and the last four dissented from the recommendation. Resolutions for impeachment were passed. A committee of C. D. Phillips, R. L. McWhorter, B. M. Davis, G. R. Sibley, R. H. Cannon, A. C. Westbrook and W T. Irvine was appointed to notify the Senate. An election for managers of the impeachment was held on the 6th day of August, 1879, and the following gentlemen were elected: H. G. Turner, W M. Hammond, C. D. Phillips, B. M. Davis, J. H. Polhill, W J. Pike and A. P Adams.

On the 16th of August, 1879, the managers presented articles of

impeachment before the Senate, the Hon. H. G. Turner having been chosen the chief manager. Mr. Goldsmith was charged with illegally receiving $4,582.50 as costs on tax executions; illegally issuing eight tax executions; extorting illegal costs; illegally refusing to receive tax; illegally issuing and transferring 228 wild land executions; illegally paying out $8,179.73 of the public money without authority; illegally ordering sheriffs to pay tax money in excess to owners; illegally retaining $11,193.17 of public money; making false returns of $2,363.61 of public money; illegally retaining $9,720.40 of insurance taxes and fees; fraudulently altering the wild land records; making false returns of $6,134.45 of insurance tax; attempting bribery; and for lucre establishing a disgraceful precedent.

On the 21st day of August, 1879, the Senate organized as a High Court of Impeachment, with Hiram Warner, Chief Justice of the Supreme Bench, as the presiding officer of the court. The Senate chamber and galleries were packed with people to witness these novel proceedings. Several Senators asked to be excused from voting, Mr. McDaniel on account of relationship; D. A. Russell and A. D. Candler because they had been on the committee of investigation; Mr. Speer on account of ill health; and J. P. Turner because he had transferred some of the wild lands *fi. fas.* But the Senate did not excuse them. Mr. Goldsmith was allowed until September 1st, 1879, to prepare his answer, which denied the jurisdiction of the Senate, alleged that the matters charged did not constitute an offence, and declared his innocence. The counsel of Mr. Goldsmith were Judge J. L. Hopkins, Col. Milton A. Candler, Capt. Harry Jackson, and W S. Thompson.

It was generally regarded that the defense made a mistake in filing pleas to the jurisdiction, and to the sufficiency of the articles. All technical resistance should have been foregone and the issue met squarely upon its merits. The argument on these dilatory pleas was made by Col. Candler and Judge Hopkins, for Mr. Goldsmith, and W M. Hammond and A. P Adams, for the prosecution, and was very able and exhaustive. The pleas were unanimously over-ruled. The defense made another mistake in objecting to testimony covering conduct during Mr. Goldsmith's first term, on the ground that the articles of impeachment failed to designate him as a former comptroller. This objection was over-ruled, and had an injurious effect in showing a disposition to cut off the examination of charges on their merits. Nearly a week was consumed in this profitless sort of skirmishing. The vote had to be taken by ballot separately on each article, and consumed a deal of time

It was a right curious matter, that the able Chief Justice, so long accustomed to preside over a judicial tribunal, did not successfully govern the deliberations of the Senate as a court of impeachment. He was little acquainted with parliamentary law, and his decisions were constantly over-ruled by the Senate. The taking of the testimony began on the 8th of September, 1879, and continued until the 13th, when in the beginning of the defense, the counsel of Mr. Goldsmith asked an adjournment of the court. Mr. Goldsmith tendered his resignation to the Governor, who declined to receive it, pending the impeachment trial. On the 15th of September the counsel of Mr. Goldsmith announced that they would introduce no more testimony, and had nothing more to say. The defense thus breaking down, Mr. Turner made a brief speech, and the trial ended by taking the vote on the 17th of September, 1879. Mr. Goldsmith was found guilty of illegally receiving $4,582.50 as costs on tax executions; illegally extorting costs; illegally refusing to receive tax; illegally issuing and transferring 228 wild land executions; illegally retaining $9,720.46 of insurance fees and tax; making false returns of $6,134.45 of insuranee tax; and establishing a disgraceful precedent. It was a curious feature of this conviction that though the accused had abandoned defense, and thus stood unresisting a condemnation on every charge, the Senate critically tested every count in the impeachment, and aequitted Mr. Goldsmith upon a number of them. Mr. Lumpkin offered an order that the punishment should be removal from, and life disqualification to hold office. Mr. Howell moved to strike out the disqualification feature of the penalty. This motion received fourteen yeas and twenty-five nays. Mr. Lumpkin's order then passed by thirty-seven yeas to two nays, Senators Head and Preston voting against.

The sentence was declared on the 19th of September, 1879, and its enforcement was a touching spectacle. Judge Hopkins made an impressive statement for Mr. Goldsmith. The Senate chamber was filled, and there was a deep feeling pervading the large assemblage, as this solemn and irreversible fiat of out-lawry was officially announced against this citizen. The incident lost none of its significance, from the fact that in the whole population of a million and a half of this large commonwealth he was the single individual that was thus deprived of the political privileges of a freeman. It was a tragic isolation for any man to occupy, and it carried with it a sympathy that strangely tinged the stern justice of the act.

Of the other investigations several were lengthy and elicited deep

feeling and warm discussion. The Treasurer, Col. J. W Renfroe, had conducted the affairs of his office with unsurpassable ability. The majority of the committee reported articles of impeachment against him for taking interest on the public deposits. Hon. J. E. Redwine made a minority report against impeachment, quoting the resolution of the General Assembly, of December 8, 1871, relieving Treasurer N. L. Angier from liability for interest on the State deposits, and dismissing suits against him for $7,000 of such interest. He urged that if Mr. Renfroe had accepted moneys that should have gone into the State Treasury he could be made to pay them over; but to prosecute so faithful an officer by costly impeachment would be unjust to him and contrary to sound policy. Col. Renfroe offered to the House his resignation and the money taken as interest.

The House declined to receive this reparation. Messrs. A. H. Cox, T. W Milner, Allen Fort, Reese Crawford, R. A. Nisbet, N. L. Hutchins, and W A. Turner were elected Impeachment Managers. Col. Renfroe had, as counsel, Gen. Henry R. Jackson of Savannah, and Capt. Harry Jackson of Atlanta, father and son. The prosecution was ably conducted. The defense was a consummate piece of legal management. Renfroe's counsel offered to admit all the facts, and required none of them to be proven. Every effort was made to expedite the trial, and get a hearing on the merits. Much raillery was indulged in at the time, that the young and talented managers were unmercifully deprived of the opportunity to make some great speeches, prepared in anticipation of dilatory pleas and demurrers, which were not filed. The facts being promptly admitted, the argument came on swiftly, and was very able. Allen Fort and A. H. Cox spoke for the managers, and did it well. The speech of Mr. Cox was a remarkable one. Harsh in voice, awkward in gesture, full of grimaces and shrieking, the speech was a master-effort, powerful, striking and eloquent. Its argument, sarcasm and eloquence were extraordinary. It was sustained from beginning to end. It covered the whole ground. It held the immense audience electrically. It showed deep study, exhaustive thought and vividness of expression.

Capt. Harry Jackson made a clear, concise, strong legal argument. Gen. Henry R. Jackson is a fervid orator, fluent, imaginative and impassioned, and he made a powerful and thrilling speech. The Senators consumed four days in discussion. Senators Cummings, Cabaniss, Harrison, Preston, Bryan, and others, advocated acquittal. Senators McDaniel, Clarke, Bower and Lester, spoke for conviction. Upon the vote being taken, Treasurer Renfroe was acquitted. A resolution was

passed instructing the Governor to issue execution against him and his sureties for the interest. This was done, but the courts decided in favor of Renfroe, and he thus stood exonerated. His conduct through the whole painful ordeal was manly, open, frank and courageous.

The committees investigating Prof. Orr, the School Commissioner, and Col. Barnett, the Secretary of State, found nothing to condemn and everything to approve in their departments. It was jocularly declared that Col. Barnett had used several cents' worth of wax in putting the great seal of State to public documents, and Prof. Orr had paid his own expenses in traveling around in the interest of the public schools. Dr. Janes, the Commissioner of Agriculture, had made some errors of judgment in establishing his valuable department, that, in any other time than an epoch of diseased suspicion, would have passed unnoticed. Dr. Janes resigned his position on the ground that the opposition to the Bureau was personal opposition to him, and he was unwilling that the Department should suffer on his account.

One of the most interesting battles was over the administration of Capt. John W Nelms, the principal keeper of the penitentiary. This gentleman, in many respects, is a very uncommon character. Having only moderate education, he is one of the most untiring and effective political managers in the State. A devoted friend and an unsparing opponent, an open-handed, free-hearted, out-spoken, fearless character, affectionate in his attachments, wielding a remarkable influence, shrewd and enterprising, he has shown himself a valuable political ally in any contest. He moved to Campbell county when a set of fighting men held a pretty strong political rule. He not only held his own, but administered some severe punishment in several tough encounters forced upon him, and obtained a firm grip on the men of that county. His administration of the penitentiary was careful, conscientious and capable. He had kept up a custom inaugurated by his predecessor, Col. John T. Brown, of removing convicts for the lessees at so much a head. This was an open arrangement between him and the lessees, in no way affecting the State. This was the point of attack against him. The committee was divided. Four members, Chambers, Walters, Garrard and Tarver, condemned the Principal Keeper, but suggested no action. Four members, Ivy, Tatum, Butt and Patterson, entirely justified Capt. Nelms. Mr. Anderson made a third report, not altogether exonerating the Principal Keeper, but leaving the matter to the Governor.

The Legislature referred the subject to the Governor, who did not

remove a faithful officer. Growing out of the method of the investigation with closed doors, a sharp controversy ensued between ex-Gov. Joseph E. Brown and Hon. L. F. Garrard, in which the prosecution of the Columbus prisoners, charged with the killing of Ashburn, was re-opened, discussed, and placed in a new light, as has been stated before in this volume.

An attempt was made to throw the responsibility of Nelms' conduct on Gov. Colquitt. Col. C. D. Phillips, of Cobb, boldly charged that the Governor was as guilty as Nelms, and if Nelms went the Governor should go. The utterance fired the House like an electric shock. R. C. Humber endorsed Phillips. Du Bose, of Hancock, replied that the Governor was not under investigation. Turner, of Brooks, followed on the same line. Humber offered a resolution censuring Gov. Colquitt for Nelms' conduct. This was like putting a torch to a powder magazine. In all of the investigations of the State House officers, there had been a large, decided under-current of hostility to the Executive, and it was hoped, through them, to reach him. The issue was clearly made by Humber's resolution. It would be difficult to convey the excitement created. The House adjourned, and a lively night of agitation followed. For once and at last Gov. Colquitt's friends became aroused. The idea of attacking the Executive in a matter that did not concern him, and without even a hearing, evoked a whirlwind of disapproval. The Governor was cool and placid. He seemed glad that the issue had come, and welcomed the chance to meet squarely the secret and unreasoning warfare that was ever threatening him. The fight had to come, and could not present itself in better shape.

The excitement kept up during the night. Men rallied to the Governor, who had never been allied with him. It was recognized that the time had come to rebuke the personal crusade against the Executive. The reaction was overwhelming. The issue was whipped by the mere force of public opinion. In the morning the vote stood 119 against, and 16 for the Humber resolution, and of the sixteen, three voted under a misapprehension, and recalled their vote.

Persistent effort was made to throw upon Gov. Colquitt the responsibility of all the matters evolved from these investigations. But it was in vain. Wholly unconnected with any transgression of any sort, or any lapse of any official; assailed rancorously in every conceivable way, and yet standing pure and unstainable in a very pestilence of accusation; the object of an enmity, ruthless and implacable, but so panoplied in integrity that the most unsparing dissection of motive or

conduct could find nothing in him to visit with a shadow of disapproval, Gov. Colquitt went through such an ordeal as falls to few public servants, and he emerged from it with an unfading crown of honor.

There has never been such a fierce fever of suspicion and groping, wide-spread inquisition. It was a sort of morbid plethora of public virtue, a riot of harsh inquiry, that in its furious sweep suspected all men, no matter how pure and exalted, and doubted all transactions, even though faultless. It was a curious phase of public sentiment, and strangely blended honesty and malice, a proper public spirit and very censurable motives of private, personal dislike and interest. There was much good done, and much injustice threatened. There was a fair measure of evil corrected, a good deal of injustice done and some wrong barely escaped. The matter forms an interesting and exceptional chapter of Georgia history, that has a rich instruction and a vivid interest.

CHAPTER XLVIII.

THE POWERFUL HISTORIC GEORGIA TRIUMVIRATE COLQUITT, GORDON AND BROWN.

The Railroad Commission.—Ex-Gov. James M. Smith.—Maj. Campbell Wallace.—Col. Samuel Barnett.—Gov. Colquitt Vilified into the Gubernatorial Race.—A Flaming Contest.—The Most Violent Political Struggle of State Annals.—Slander and Calumny.—The Candidates.—Rufus E. Lester.—L. J. Gartrell.—Hiram Warner.—Thomas Hardeman.—An Event that Turned the State Wild.—The Resignation of United States Senator John B. Gordon.—Appointment of ex-Gov. J. E. Brown.—Bargain and Sale Charged.—Gordon's Fine Senatorial Career.—Great and Brilliant Services.—Thorough Vindication.—Gen. Gordon's Eloquent Speech.—The Value of the Tender to ex-Gov. Brown.—The Alliance of Colquitt, Gordon and Brown, a Union of Ponderous Agencies.—Gov. Colquitt as a Political Fighter.—Gordon's Power.—Senator Brown's Valuable Three Weeks' Service in the United States Senate.—His Success.—Personal Disappointments at not Getting this Appointment.—A Brewing Storm.

One of the most important things done by the Constitutional Convention of 1877 was the passage of Gen. Toombs' pet idea that it was the duty of the General Assembly to regulate freight and passenger tariffs, and prevent discriminations. It was a vast measure for the State to take the regulation of fifty millions of private property, upon which rests the whole commercial fabric of the commonwealth, and is its largest single element of power. The discussion in the Convention over it was protracted and befitting its importance. In the General Assembly the bill to carry out this provision of the Constitution was introduced by Hon. W R. Rankin of Gordon county, a gentleman who had been for several years one of the best journalists of the State. He is a member of the present legislature and chairman of the railroad committee. He is a person of ability, and a clear, forcible speaker. Hon. Allen Fort also introduced a bill forbidding railroads making unjust discriminations. Substitutes, amendments and long discussions marked every step of the measure through House and Senate, demonstrating the great interest it excited. But it finally passed, and was approved October 14, 1879.

Under this act Gov. Colquitt, with the advice of the Senate, appointed three Commissioners: ex-Gov. James M. Smith, lawyer, for six years; Maj. Campbell Wallace, railroader, four years; Samuel Barnett, two

years. The Commissioner's salary is $2,500, and he must not own railroad stocks or bonds, or be in the employ of any railroad company. Gov. Smith's appointment created much commentary. He had supported Gov. Colquitt for Governor. When he was defeated for United States Senator, he had made a breach of friendship with Gov. Colquitt, and had become very hostile against him. When the North-Eastern bond slander was started against Gov. Colquitt, ex-Gov. Smith promptly condemned it, and amicable relations were restored. Gov. Colquitt, under that high sense of official duty that elevated him above personal considerations in his public acts, appointed Gov. Smith on account of his estimated fitness for the place. And it was said that Gov. Smith, who had suffered denunciation from men whom he had favored, declared that he would lay down the commission of Gov. Colquitt whenever he antagonized him.

Maj. Campbell Wallace has been a marked character in Georgia for many years. He was one of that large body of influential and enterprising citizens that came to Georgia from East Tennessee, and that have become leaders among the business princes of middle Georgia and especially Atlanta. Among these desirable Tennessee immigrants, men of brain, energy and leadership, may be mentioned Judge John L. Hopkins, the Inmans, P L. Mynatt, the Lowrys, Wm. T. Newman, the Parrotts, the Fains, J. J. Williams, Reuben Arnold, S. R. McCamy, John G. Dunn, Wm. H. Tibbs, and the members of that strong firm of Moore and Marsh. W M. Lowry was United States Marshal for East Tennessee under Pierce and Buchanan. Mr. Triplett, of the Thomasville press, was one of these valuable East Tennesseeans. Major Wallace had been President of the East Tennessee and Georgia railroad. He had performed wonders of service during the war in moving Confederate troops and supplies. After the war he was made superintendent of the Western and Atlantic railroad in 1866, by Gov. Jenkins, and did a rare work in restoring that ruined railway. He managed the road during Ruger's and Meade's régimes, and resigned when Bullock was elected Governor. He is now President of the Merchants' Bank, and was tendered, unsolicited, a place as Railroad Commissioner. To an unusually strong common sense, Major Wallace adds a fine humor, a perennial amiability, tireless energy, an unbending positiveness and high Executive capacity.

Col. Samuel Barnett is a gentleman of a hearty turn for statistics and scientific investigation, and an unwearied power of clear-cut, vivid writing, who has tackled the stupendous and inexhaustible subject of railroad facts and figures with the keen relish of an

Truly Your Friend
Campbell Wallace

enthusiast. The only apprehension is, that he will give us a railway literature as voluminous as our Supreme Court decisions. The commission has a congenial and efficient clerk in Maj. R. A. Bacon. The Commissioners have handled the big subject boldly, cutting down and making uniform rates and fares. The Savannah, Florida and Western Railroad, the old Atlantic and Gulf Railroad, under that strong and rising young lawyer, Judge Walter S. Chisholm, of Savannah, made a vigorous effort, in the United States Court, to strike down the commission, but the court sustained it unqualifiedly. An attempt is being made, under the lead of ex-Gov. Joseph E. Brown, to get the present Legislature to restrict the autocratic powers of the commission. The endeavor is being stoutly resisted. The success remains to be seen, but however it results, there is the prospect of an endless agitation of the matter, superinduced by the inevitable rebelliousness of so vast a body of strong capital over its arbitrary regulation by a power, not directly interested in its profitable management.

It is doubtful if Gov. Colquitt would have permitted the use of his name for a second term as Governor, but for the unremitting and rancorous onslaught upon him. The Convention had cut the term from four to two years, and the salary from $4,000 to $3,000 a year. His private affairs needed his attention, while the salary did not pay the expenses of the station. But the assaults upon him had been so fierce and rankly unjust that it was but a question of self-respect to submit the issues of his administration to the popular judgment, and he determined to do so. The result was the most bitter political battle, the longest campaign and the most crushing personal victory, that have ever happened in the State's history. For nearly six long months did the extraordinary conflict rage, with a gathering heat every week and month. The battle became violent beyond description, and yet, strange to say, there was not in it a single direct, legitimate political question. It was all personal, and in its ultimate analysis, involved several very large moral and social considerations and a sentimental matter of national effect. The distant and philosophical reader of the extraordinary incidents and phases of this roaring and flaming contest will wonder at its desperation, brutality and causelessness.

Georgia has had some memorable political conflicts. The Troup and Clarke flurry from 1823 to 1827, was warm enough as far as it went. The Colquitt, Cooper and Black storm in 1840 stirred things up. But the anti-Colquitt campaign of 1880 was such a tornado of violence as to make all previous disturbances mere child's play. And its interest

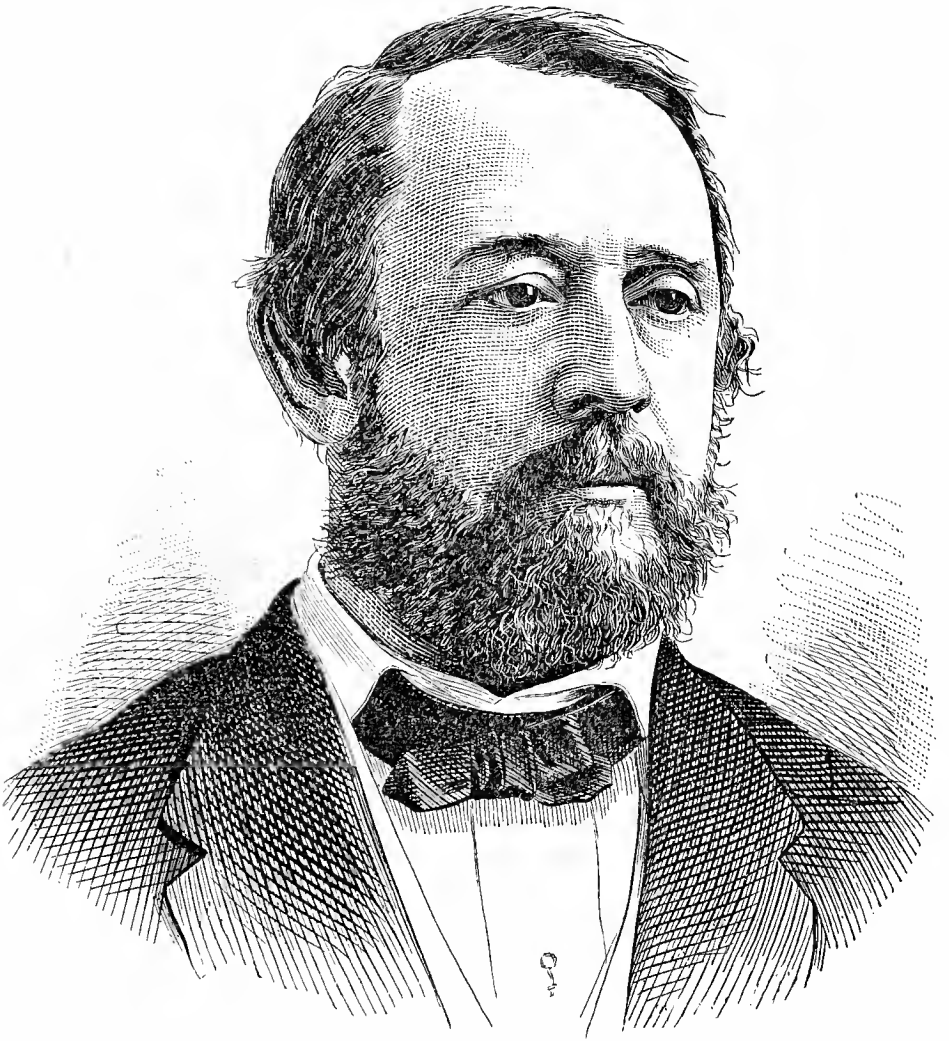
does not diminish from the fact that it was not a political issue, but a moral and religious civilization that stood at stake. Gov. Colquitt was the exponent and champion of temperance, religion and sectional fraternity. He embodied in his life, virtue and Christianity. He represented a great question of a kinder practical accord between the races. Every exalted moral and social mission was enthroned in the candidacy of this gentleman. And it was a vital feature of the stern battle that Gov. Colquitt, under the strong inspiration of his Christian qualities, was immovably fixed in the homes and hearts of the popular masses. He was rooted in the public heart, and no violence could tear him from his hold.

This indissoluble clasping of the people's esteem must ever stand one of the marvels of this raging affair. For months every species of detraction and besmirchment was poured upon Gov. Colquitt. It was bred in a thousand protean forms, damaging enough, if true, to have damned his character, and killed forever the public confidence. If a tithe of what was charged had been the truth, Gov. Colquitt would have been deservedly an outcast. Yet all this deafening crusade of defamation fell impotent upon the great, moral public thought, and when the day of verdict came, the people, with a resistless force, crushed out of existence the numberless brood of black criminations, spawned in this furious struggle.

And it was the most inexplicable feature of all of this extraordinary battle of slander, that there was a stubborn iteration of disproven scandals. The North-eastern bond calumny had been stamped out by the General Assembly, but it was rung and re-rung with unwearied persistence, just as if it had never been tried and shattered. So with other aspersions. But the clear-seeing, undeludable masses, with a cool poise held unshaken amid the boisterous fury of malice to their faith in the Christian Governor, who had the novel experience of a martyr's ordeal in the exigencies of a political strife.

There were two phases of this stirring campaign, the contest for the nomination, and then the fiercer struggle for the election. Usually the nomination in Democratic Georgia ends the tussle. In this campaign the nomination was simply the hot preface to a hotter sequence. It merely begun the battle well, and intensified its animosities.

The candidates for the nomination were five, viz., Gov. Colquitt, Hon. Thomas Hardeman of Macon, Hon. Rufus E. Lester of Savannah, Gen. Lucius J. Gartrell of Atlanta, and Chief Justice Hiram Warner of the Supreme Bench. These distinguished gentlemen have all been



GEN. LUCIUS J. GARTRELL.

sketched in this volume. Hardeman and Lester proved to be the next in strength to the Governor. Lester had some strong geographical considerations to aid his candidacy, Savannah not having had an Executive in a long time. Lester's campaign was finely organized and managed. It had some intelligent and masterly direction, and was shaped with method and strategy. His strong counties were captured early, to give him a boom. The ultimate issue was the field against Colquitt, and the strongest man would gather and focalize the opposition. Lester refused to canvass, taking high grounds against it. But his friends organized consummately. He labored under one disadvantage—one not seen at the surface, yet a substantial difficulty. His co-operation at home was not unstinted. He was a new man in that old place—a recent acquisition to its aristocratic ranks. A community like Savannah is wedded to its antecedents, and its blood. Lester was bright and popular, but there were older men and older citizens that the people, under their strong ideas of family reverence, would have selected as a representative of the city for gubernatorial honors. That the bold ambitious young statesman should have shoved aside the older material was a disability for him, so far as home backing was concerned.

Gen. Gartrell had no organization, and made no systematic campaign. He had strong friends in various parts of the State, and a large backing by the press. He had been before and since the war an ardent and effective political worker. He was prominent very early in his manhood, and as Legislator, Congressman and Confederate Colonel and General, he had sustained himself ably. He was the author of the celebrated "Southern Right's Resolutions" of the legislature of 1849; he met Cobb, Toombs and the Stephens brothers on the stump in the great Union fight of 1850; he canvassed the fourth Congressional District in 1855 against Know-Nothingism, for Hiram Warner against Ben Hill; he was the Buchanan and Breckenridge elector in 1846, and canvassed the State; he went to Congress in 1857 and 1859 from the Fourth District, by large and growing majorities. His Congressional record was very bright; he was on important committees and made some notable speeches. He was Regent of the Smithsonian Institute. His career in the Confederate Congress was valuable. He held the high position of Chairman of the Judiciary Committee. As a Confederate officer he ranked high, and did excellent service. Since the war he has been one of the leaders of the Atlanta bar, an able lawyer and an eloquent advocate.

Judge Warner had been all his life grazing at the Governorship. This was his last chance, necessarily, in the course of advancing years.

He soon became convinced that Gov Colquitt was the strongest man in the field, and with that grim frankness that belonged to him, he so told one of the other candidates. He left his canvass to take care of itself. The trouble with Col. Hardeman was that his friends were Gov. Colquitt's friends, mainly. No man in the State had been a more zealous and disinterested party-worker. His strong abilities and ready eloquence could be counted on at any time in any party stress. He had a cheery, stimulating way with the people, and was a valuable and willing worker in any cause of a public character. He was always a generous antagonist, just, courteous, fair and honorable, scorning any underhanded advantage, and dealing none but legitimate blows. Such men as this candid and lofty gentleman make politics honorable, and elevate public agitations. The truth is that "Tom Hardeman," as he is familiarly called, is the type of truth, directness and fidelity, and has been a true representative of our best Georgia manhood. And he never made a poor or uninteresting speech in his life. Gov. Colquitt, Gen. Gartrell and Col. Hardeman all made campaign addresses.

In May, 1880, occurred an event that enlivened the campaign, something like the effect that the explosion of a powder magazine would have in a fortification. There has never been an incident in our political history that created a more sudden and uncontrollable fury of the political elements. It shook the State from center to circumference. Things were comparatively quiet. The swift storm that ensued was blinding and ferocious. It was for a while like a raging cyclone—it blew men's wits off their feet, so to speak. Gov. Colquitt thought he had been pretty heavily abused before this. He received a gust of thundering public vituperation that nearly took his breath away. The event that had such an overwhelming effect was, that Gen. John B. Gordon resigned his place as United States Senator from Georgia, to which he had been so recently elected, and Gov. Colquitt appointed in the vacancy ex-Gov. Joseph E. Brown.

The relations between Gov. Colquitt and ex-Gov. Brown had been very friendly. Between Gen. Gordon and Gov. Brown there existed, perhaps, a less cordial intercourse than among ordinary acquaintances, due to an assault of the latter on Gen. Gordon about his course as a Senator in the Presidential matter. There was, therefore, a cordial good feeling between Colquitt and Brown, and an absence of the same between Brown and Gordon, and yet a charge of "bargain" was instantly formulated by the opposition, based upon the very opposite of these relations, involving acts of kindness and benefit done by

Brown for Gordon to win Brown's support for Colquitt. The State rang with the calumny of an understanding between the three, which made Gordon give up his seat that Brown might be appointed in his place, Gordon to get railroad favors from Brown, including the Presidency of the State road, and Brown to help Colquitt politically. The circumstantiality with which this incredible fiction was urged was something wonderful. With a fierce passion but a severe logic, apparently, sensible men and honest journals argued this monstrous aspersion upon three of the purest, ablest, best tried and most trusted public men of the State. Intelligent and conscientious men believed it, though there never was a piece of popular injustice that had less basis of fact. Against life-time honor and integrity, against thrice tested character, against illustrious public service, against reason and probability, the swift, hot, unreasoning charge of the darkest personal dishonor and official criminality was blazoned against these gentlemen.

The incident illustrates how rancorous can be political hostility. The lives of these men was a standing disproof of such reproach. Gen. Gordon had made an illustrious fame as a soldier and Confederate General. For seven years he had illustrated Georgia most magnificently as a United States Senator. His career in the national councils had been conspicuously able and influential. His first speech in the United States Senate was upon the great financial question of the day. It made a profound impression upon the whole country Senator Morton pronounced it the ablest effort made on the subject. The Agricultural Convention which assembled in Georgia soon after its delivery unanimously adopted a vote of thanks to Senator Gordon for it. The New York *Times*, a Republican paper, while criticising the speaker and differing with him, used this language: "Gen. Gordon is the ablest man from the South in either House of Congress." This was very high praise from an opposition paper.

Senator Gordon's next effort, which attracted most attention, was the defense of the South in the debate with Morton and Edmunds. The approval of our people was universal, while even the Northern press passed upon it the highest encomiums. It was the first time anything like an elaborate vindication of the South had been made by a Southern man. Every effort was made by Morton, Edmunds, Conkling and others, to provoke Gen. Gordon into imprudent utterances; but the friends of the eloquent Senator and of the South all over the country thought that the whole of our case was managed with tact, skill and ability by him in that memorable debate.

Perhaps the next most striking fact in Gen. Gordon's senatorial career was his bill and speech intended to secure reform in the civil service of the country, and especially in the Revenue Department, the central idea of which was the separation of the revenue from party politics. Some conception of the impression made upon the whole country may be obtained from the commentary of the press. The Republican and Independent papers of the North were forced to commend the views of our distinguished young statesman. The Springfield *Republican* declared of this measure of Gordon that it was "the first notable demonstration in the direction of civil service reform from high Democratic authority," and warmly endorsed it. The Chicago *Times* said editorially, "There never has been brought to the attention of Congress a proposition of civil service reform so practical and thorough as that which Mr. Gordon had indicated. It is, in truth, the only suggestion of a practical remedy for the all-pervading official corruption that has ever been brought to the attention of Congress." The Boston *Advertiser*, New York *Herald*, New York *Tribune*, New York *Post* and Chicago *Tribune*, all of which were among the leading papers of the United States, strongly endorsed and commended the effort. The New York *World* pronounced the speech "impassioned, able, eloquent, logical and impartial." There is little doubt that Senator Gordon would have succeeded in engrafting some such policy upon the administration of our revenue, had he have remained in public life, for the country was with him upon it.

These are some of the great occasions, when Gen. Gordon arose to the full stature of a Senator, handling vast themes of public policy, originally, eloquently, and with unquestionable statesmanship. He was able to impress himself upon the critical thought of a great nation. Not only in these large matters, but in every possible phase of private and public service, he bore himself with the duty and dignity befitting his high trust. He wielded a powerful influence among his colleagues and in the Departments, and he won from the masses of the broad country the fame due to an acknowledged public leader, whose exalted individuality gave an added renown to the great commonwealth he so well represented.

And this was the official who, at the beginning of a second term of six years of his most dazzling distinction, laid it down to attend to his private affairs, sadly neglected. And this was the official whose almost unprecedented renunciation of an august responsibility was charged to be the subject of a corrupt personal bargain. In the light of subse-

quent developments, the monstrosity of such a charge is so overwhelmingly demonstrated as to excite amazement that it ever had an existence. Public meetings in Columbus and Pike county denounced Gov. Colquitt, Gen. Gordon and ex-Gov. Brown. The cry of "Trade!" rang over the State. The severity of denunciation of these distinguished and honored Georgians was something phenomenal. "Base and treacherous conduct," "a stench in the nostrils of honest men," "Senatorial deformity," "slimy pits of dishonor and degradation," "eternal infamy," and a thousand similar phrases, were showered upon them. The issue was made clear, sharp and savage, and it was met with a gameful readiness that betokened what resulted, that the people had to settle the stirring question.

The facts were very few and simple. Senator Gordon had long wanted to get out of public life, to build up his private fortunes. He was offered a valuable chance in Oregon. He tendered his resignation. Gov. Colquitt tried to get him to withhold until the session of Congress ended, which would be in a few weeks. He had to utilize his business opportunity, and declined to postpone his resignation. Gov. Colquitt, upon his own inspiration, sent for Gov. Brown and tendered him the place unconditionally. And this was all of the bargain—no collusion, no conditions—no trading. The presidency of the State Road was not resigned by Gov. Brown and given to Gen. Gordon. Gov. Brown knew nothing of Gen. Gordon's resignation until the appointment was tendered him. Gen. Gordon knew nothing of Gov. Brown's appointment until it was made. Gov. Brown was already a supporter of Gov. Colquitt for Governor, and therefore there was no inducement to win his championship. Mr. Newcomb, the president of the Louisville and Nashville railroad, after Gordon's determination to accept the Oregon offer and to resign, offered Gordon a business proposition that allowed him to stay in Georgia; which he accepted, getting released from his other contract. With this Gov. Brown had nothing to do. And since then, Gen. Gordon has succeeded in organizing and starting the construction of a great line of railway from Atlanta to the Mississippi, through the coal fields of Alabama, utilizing the defunct Georgia Western railroad, and connecting with the Richmond and Atlanta Railway scheme, independent of the State road, or the Louisville and Nashville road.

Thus one by one of the specifications in the fierce charge of "Bargain" have been disproved by that unfailing healer of injustice, *Time*, and its inevitable co-worker, *Truth*. The storm, like all storms, did

good. The right was vindicated after much travail. It was a deadly struggle, but a marvelous victory. The final result was beneficial to the State and to the country. Gen. Gordon came home, and in a masterly and eloquent speech in Atlanta, thus stated the motives governing Gov. Colquitt in this appointment:

"Let us place ourselves in Gov. Colquitt's place, and laying aside all passion, see what our cool judgment would dictate. [Laughter and applause.] Let me premise what I am about to say by the remark that while, as a matter of sentiment, most of us would have preferred some other Georgian, yet there are thousands in and out of the State who are beginning to agree with that greatest of living generals, Joseph E. Johnston, that Joseph E. Brown was the very best selection that could have been made under all the circumstances surrounding our present and the momentous issues involved in our political contests for the future. There are great men and true men now in high places of responsibility, who believe that the time had come in the South when the integrity of our society, the security of our property, and the supremacy of our political principles require that we should so liberalize our policy as to extend the olive branch to all men now in accord with our principles, although they had differed from us in the transition stage succeeding the war as to the public policy. They saw in Gov. Brown the most distinguished representative of that class of citizens in the entire South. They saw in him a man of intellect, of long experience, of distinguished services in the ante-bellum history of the State. A man of large property, deeply interested in the material progress of the country and in stable government—a life-long Democrat, who, although denounced by us for voting for Grant and reconstruction in 1868, was joined by us in voting for Greeley and reconstruction in 1872. [Applause.] This is, I say, what other men, able and true, saw in this appointment. What did Gov. Colquitt see to guide him to a conclusion which his enemies now seek to use to his detriment. If he will permit it, I will publish his letter informing me of Gov. Brown's appointment, and of the results he expected to be produced upon himself, the party, and the country. He saw the two strongest Democratic districts in the State lost to the Democratic party. He saw in a third, the same fate seriously threatened. He saw in a fourth, Hammond, able and eloquent, elected after a most laborious struggle. He saw the party upon whose supremacy seems to depend all that is valuable to us as a people, apparently on the verge of dissolution. He saw the friends and life-long followers of Gov. Brown among the hardy yeomanry of the mountains, dissatisfied and ready to break with the organization; and he felt that he might thus recall them to their allegiance, recapture these Democratic strongholds, harmonize former differences, assuage bitterness, and assure the future of Democratic supremacy. I wish to repeat here that everybody knows that I am not the champion of Gov. Brown, but it is due our manhood that we either cease hostility to Gov. Brown, or cease to ask his time and talents and money for the benefit of our party. It is due to truth to state that Gov. Brown has been unfaltering in his devotion to the Democratic party for ten or twelve years; that he was the supporter of Milton Smith, of Alfred Colquitt and of myself in my last race for the Senate, even against his life-long friend—that upright jurist, and great statesman, Herschell V Johnson. It would be unworthy in me were I to fail, in this public manner, to testify to the earnest, unswerving, potential aid given in the last campaigns to myself and to the standard-bearers of the party in these hotly contested mountain districts. [Applause.] In thus speaking at some length upon the purposes of Gov. Colquitt in making this

Joseph E. Brown

appointment, I have done him nothing but simple justice. If I know myself I speak in the cause of truth, of harmony, of Democratic unity. [Applause.] One thing is certain, that while others high in position were apologizing for, or defending Grant, while he drove the cold iron into the breast of Louisiana, Gov. Brown was denouncing this act of tyranny." [Applause and cries of that's so.]

For Gov. Brown, the unsolicited tender of this peculiar trust was an event of unspeakable import and most dramatic connection. It recalled the grim memories of that painful experience of twelve years back, in 1868, when the people of his State stood solidly against him, and he was defeated for this very office, under such pitiless public execration as few men ever experience and fewer outlive. It looked then as if he was forever buried, politically. He went down in the mad savagery of that time, a recipient of as noble a resentment, though unjust, as any people ever exercised. He had lived to see the subsidence of passion, and the abatement of obloquy. He had steadily cured the misconceptions of his course, coming with a wonderful elasticity above the cruel repression and odium that struck him down. And the redemption had at last, after many a weary delay, arrived, but was not, even with this appointment, complete. This was the act of the Governor. It failed of the requisite finish unless rounded off by the popular endorsement. There was much speculation as to whether Senator Brown would seek an election at the hands of the legislature, his appointment only running to the session of that body in the winter of 1880.

There is, perhaps, no earthly inducement that could have withheld Joseph E. Brown from that test of the public pulse. The opposition made the appointment an issue, and the leading issue of the gubernatorial campaign. But if this had not been done, he would have fashioned it so. Every prompting of his pride and memory, every impulse of his nature, every tingling nerve of his combative temperament drove him irresistibly to a naked trial of this single question by the majestic inquest of the popular suffrage. His friends led off in suggesting that the approval of the Brown appointment be directly canvassed and voted upon.

It was a very strong triumvirate of influences, capabilities and management, this union of Colquitt, Gordon and Brown. Each one of them was powerful, and had shown himself pretty nearly invincible, each achieving victories single-handed that recorded marvels of majorities. Each one could point to personal triumphs that were out of the range and scope of ordinary political success. The alliance of the three in a battle where their coalition was intensified by a reciprocal interest and

a common defamation of their conduct, was the junction of the most ponderous agencies of our Georgia leadership. And as well equipped managers as they each were, each found valuable aid in the others. Gov. Colquitt's enemies have decried his abilities and decision. No one could look at his firm set mouth, and not read there an uncommon reserve of will. It comes to him by inheritance. His life, critically dissected, has shown it strikingly. And as for management, his father, Walter T. Colquitt, was the very incarnation of the sagacious and invincible manager, and transmitted it to his diplomatic son. Under that gentle grace and hearty simplicity Gov. Colquitt carries as practical a sense, as rare a tact, as broad a scope of plan, as nice a discernment of agents, as resolute a persistence, as astute a retention of his own secrets, and as true a fidelity to his friends, as any man in the State. And to these subtle qualities he adds an effective magnetism in impressing and swaying masses of men, and an exceptional prudence of expression that leaves him no indiscretions to correct.

Ex-Gov. Brown has been an unequaled conductor of political campaigns, and brought to this strong junction of force his superlative and disciplined capacities. Gen. Gordon has been a lordly campaigner, going direct to the popular heart with his chivalrous *esprit*, bold, direct, lofty and gallant. There has always been something in this gentleman to make men love, admire and trust him, an unfailing glow of generous sentiment, a manly self-respect, and a vigorous, healthy intellectuality. His ideas are all liberal and large, his impulses knightly, his nature attractive, and his bearing princely. Never a foeman, unless under attack, he is always an open-handed, magnanimous opponent. And every fiber of his soul is loyal to friendship and the popular good. It was a strong trio, and when the struggle came, an irresistible coalition.

It was no slight benefit in the campaign that the anticipation of Senator Brown's service in the few weeks' session of the United States Senate was realized, and was an example of instantaneous and potential influence. In a body where large-brained and distinguished men go through a long probation and apprenticeship of quiet and initiation, Gov. Brown took immediate rank as an acknowledged leader. The tuition of years in this august parliament he mastered immediately. He gained the ear of the body at once, and his voice was heeded. He was sworn in on the 26th of May, 1880, and Congress adjourned on the 16th of June, giving him three weeks' service only. In that short time he secured a $10,000 appropriation for the harbor of Brunswick against the report of the appropriation committee, and came near increasing

the appropriation to the Savannah river from $65,000 to $100,000. He passed a bill to allow the Savannah, Florida, and Western railroad to build a bridge over the St. Mary's river, which is now being used. He discovered and defeated a provision in the census bill that would have lost Georgia a representative in the United States Congress. This provision provided that enumerators should report a list of all males over twenty-one years disqualified from voting, and such number be deducted from the inhabitants of the State in making up its basis of representation. On account of the voters in Georgia disqualified for non-payment of taxes, this would have lost Georgia twenty or thirty thousand votes in estimating our representation in Congress.

Senator Brown made three speeches in his strong, practical way, that attracted general attention, that placed him among the recognized leaders of the Senate, and carried to Georgia a substantial basis for popular sanction of his appointment. In urging increased appropriations for our State harbors, he put so clearly our claims to greater liberality that Senators Thurman, Bayard, Davis, Blaine and Vance complimented him. Senator Blaine raised quite a laugh by saying "he never heard so fine a speech from so young a Senator." It was in the speech, however, delivered on the 12th of June, 1880, upon the Mexican Pension bill, that Gov. Brown made a profound impression upon the country, and instantly stamped himself as a master of debate, an original thinker and a positive actor in the national councils, able to cope with any of the practiced powers of that august body, and to place his people in sharp advantage upon the delicate questions of the war. An amendment was offered to strike Southern soldiers who had participated in the last war from the benefits of a pension for service in the Indian and Mexican wars. Gov. Brown strenuously opposed this exclusion of Southern soldiers. Senators Ingalls, Conkling, Kirkwood and Blaine kept a running fire upon him, injecting adroitly into the discussion the disunion and war issues.

Gov. Brown's speech was a master-piece of diplomacy and argument. He took occasion from the interruptions to go into the whole subject of Southern sentiment upon war questions, and without an imprudent word, he completely turned the tables upon his sharp questioners, and struck the "Bloody Shirt" policy, as it was felicitously called, of keeping up war prejudices, the deadliest blow it has received. His temper was perfect, his readiness unfailing, and his retorts irresistible. He made every stroke cut. His acceptance of reconstruction was used happily. The galleries were crowded, and the ablest men of the other side,

the recognized experts of debate and the keenest wits of the Republican party were using every effort to trip the new Senator. They came at him from every quarter and struck him vigorously. Parrying every lunge, cool, poised and prompt, he met every attack successfully, and followed his adversary to an undeniable discomfiture. He evaded nothing. Senator Ingalls asked him if he did n't think now he was right in defending secession. Gov. Brown shot back the affirmative instantaneously, but added that secession was not a living issue, and had been settled forever by the war.

He drew with the nicest discrimination the difference between the questions decided by the revolution and our living rights. He thus admirably concluded:

"When we returned to the Union, we did so in good faith. The question of the right of secession is settled forever, and with its settlement our faith is pledged to stand by and defend the Constitution and the Union. In the field you found the Southern armies to be brave men, and brave men are never treacherous. Should our relations with foreign powers at any time involve this Government in war, the people of the North will have no reason to complain of the promptness, earnestness and gallantry with which the people of the Southern States will rally around the old flag, and bear it triumphantly wherever duty calls. If that emergency were now upon us, the comrades in arms of Sherman and Johnston, who once confronted each other with such distinguished heroism, would rally together in the cause of the Union, and vieing with each other, would perform such prodigies of valor as the world has seldom witnessed. This being the present condition of the country, the present feeling of the great masses of people on each side, let us do justice to each other, restore cordial and fraternal relations, and folding up the bloody shirt, let us bury it forever beyond the reach of resurrection; and let us unite in the enactment of such laws as will show to the world that we are once more, not in name only, but in reality, a united people, ready to do equal and exact justice to all. And let us move forward gradually and gloriously in united efforts to restore to every section of the Union substantial, growing, material prosperity; and we will then bring to the whole country peace, happiness and fraternal relations. This seems to me to be a consummation devoutly to be wished by the patriotic people of all parts of the Union.

There was a universal acknowledgment that the new Senator had fulfilled the great expectation of his value in the National councils, and the issue of his appointment had to be met upon that vantage ground. But there was one strong complication in this animated contest, that exerted a powerful underlying influence. How many distinguished gentlemen had hard feelings against the Governor for not being selected for this distinction, will never be known. Men who had passed beyond active life, immemorial friends of the Executive, men on the political shelf, and individuals who had no shadow of claim upon him, were dis-

appointed, and added their hidden dissatisfaction to the gathering crusade of hostility in this remarkable contest. There was a focalization of hostile elements for a thunderous storm, and it exploded with a stirring effect.

This crusade against Gov. Colquitt was the aggregation of every political disappointment, every soured ambition, every personal grievance connected with the Democratic party, every partisan pique, every irritated sensibility of private malice, every envenomed spite of a public nature, every restless dissatisfaction with existing politics, and every strong yearning of hope from new combinations of party and personal elements. It was homogeneous in the one common purpose to overthrow the existing and establish a new dynasty.

CHAPTER XLIX.

GOVERNOR COLQUITT RECOMMENDED FOR GOVERNOR BY THE MOST EXTRAORDINARY AND EXCITING POLITICAL CONVENTION OF GEORGIA ANNALS.

The Convention to select Presideutial Delegates.—The Fiery Campaign before the Gubernatorial Convention.—Colquitt's Atlanta Managers.—Henry W Grady the Chief.—E. P. Howell.—The City Papers.—Hardeman, Gartrell, Lester and Warner.—A Fierce Crusade of Calumny against Colquitt.—A Savage Coutest.—Gordou aud Colquitt.—Amusing Couflict of Estimated Strength of the Candidates.—The Two Thirds Rule.—The Couveution.—Its Personelle.—The Colquitt Caucus.—Gov. Brown's Advice.—The Fine Leadership of Patrick Walsh.—Concessious of the Majority.—L. N. Trammell Permanent President.—His Brilliant Presiding.—Almost Two Thirds for Colquitt.—A Wily aud Implacable Miuority.—Any body but Colquitt.—Seven Long Days of Stirring Session.—Majority Iudiscretiou.—The Two Thirds Rule Adopted.—The Fight over the Rules.—Gag-Law Discussed.—Clifford Auderson.—Dr. Henry Carlton's Compromise.—Hot Scene over it.—Ringing Speech of Patrick Walsh.—"We will Nominate Colquitt."—Thomas D. Watson's Burning Speech.—Joe Warren.—All the Compromises Rule out Colquitt.—Livingston of Newton.—Gen. Imboden.—Break in the Colquitt Ranks.—W. A. Reid Suggests Thomas G. Lawson.—Joe Warren's Ambuscade.—Colquitt's Men Stand Solid —A Sparkliug Debate.—S. G. McLendon Drops Colquitt.—R. W Patterson's Brilliant Speech.—The Majority Rock-firm.—Final Resolutions to Recommend Colquitt after Three Ballots.—The Minority Ask Time.—A Recess —The Miuority Disiutegrating.—On the Final Ballot Colquitt Gains, but no Nomination, and his Recommendation goes into Effect.—Electoral Candidates Chosen.—State House Officers Nominated.—Delegates on Final Adjournment begin Coming to Colquitt.—Carlton and Norwood Raise Poiuts of Order, and stop the Change of Votes.—Adjournment of Convention.

THE Democratic State convention that met in Atlanta, on the 9th of June, 1880, to appoint delegates to the Cincinnati convention, was the first State gathering after the resignation of Gordon, and the appointment of Brown. A majority of the members were for Colquitt, and this fact demonstrated the popular sentiment. Hon. L. N. Trammell was made temporary, and Hon. A. O. Bacon permanent Chairman of the Convention. There were 350 delegates from 119 counties. The delegates selected for the National Convention were : at large, Gen. A. R. Lawton, Hon. Geo. T. Barnes, Hon. E. P Howell and Gen. P M. B. Young ; District, W A. Wilkins, J. M. Couper, J. R. Alexander,

B. E. Russell, L. M. Felton, D. M. Roberts, T. W Grimes, P H. Brewster, J. D. Stewart, C. C. Duncan, J. G. Ockington, A. C. McCalla, J. C. Fain, A. H. Gray, D. M. Du Bose, P Walsh, W P. Price, T. M. Peeples.

Gen. A. R. Lawton was made chairman of the delegation at Cincinnati. Hancock and English were nominated as the Democratic ticket for President and Vice-President, creating great enthusiasm in Democratic Georgia. The main interest of our people in this State, however, clustered around the gubernatorial race, and it intensified to a white heat. An organization of Gov. Colquitt's friends was made in Atlanta—a very thorough, strong and vigorous body. The leaders in it were an incomparable collection of bold managing young spirits, keen-witted, indefatigable, resourceful and aggressive. Henry W Grady, as chairman of the campaign committee, is entitled to the leadership, though Evan P Howell, William T. Newman, S. M. Inman and W D. Ellis were not far behind him in their contributions. All of these long-headed young fellows buckled to the contest with a wonderful energy and tact. Howell was perhaps the most experienced of them, but Grady's enthusiasm was irresistible, and he finally took the undisputed command, and he manifested an executive capacity that was extraordinary. He threw himself into the struggle with his whole heart. He watched every point, kept the whole State in his observation, devised means, wrote letters, sent myriads of dispatches, strengthened doubtful localities, and placed help wherever it was needed.

The managers of the large dailies, the Atlanta *Constitution*, Augusta *Chronicle and Constitutionalist*, Savannah *News*, and Macon *Telegraph and Messenger* were personally for Gov. Colquitt, though the journals were held neutral until the convention. The Columbus *Enquirer-Sun*, Atlanta *Post* and Augusta *News* strenuously opposed him. The large majority of the press favored Gov. Colquitt. The struggle for control of the convention was ferociously acrimonious, and settled into Colquitt and anti-Colquitt, it soon being discovered that he was stronger than the whole field together. Hardeman and Gartrell made speeches, fair, unexceptionable and effective, abstaining from any personal discourtesy, and discussing Gov. Colquitt's official record legitimately. Lester and Warner did no speaking. The auxiliary speakers and press against the Governor, however, kept up a lively fusillade. The savage character of the campaign against Gov. Colquitt was outside of the opposing candidates, and was difficult to understand. Somehow this gentleman has never been on good terms with the professional

politicians. His strength has been with the quiet, undemonstrative masses, who take little active interest in politics, unless aroused by some unusual inducement. The country wire workers have always antagonized him. The noisy element of the cities has been against him. The bar-rooms and their frequenters have fought him. His wonderful hold upon the people has excited the envy of the leading public men with some exceptions. The inability to use him has made him odious to the average partisan. His impregnable morality and identification with temperance, virtue and religion, have been a standing rebuke to the vicious and immoral. The bitter opposition that was aggregated against this godly gentleman, was something marvelous, and the resulting warfare was unparalleled in its fierceness, persistence and malignity.

Every invention of calumny was evoked against Gov. Colquitt. His Democratic fealty was assailed, his ability denied, his personal honesty questioned, and his religion travestied. The opposition press teemed with charges against him of every kind, affecting his moral and religious character. Corruption was asserted against him in both personal and official matters. Every act of his administration was attacked and falsified. And in the noise following the Brown appointment, it looked as if the whole State was down upon the Governor. But it was a large mistake. The sluggish masses of good men began to take an interest. Slowly the reserves came into action, and under the steady advance of an awakened people the opposition disclosed its real weakness. Such an arousement of the State has not been seen in a century in Georgia. Men who had never taken any active part in politics came to the front as leaders. Old church deacons who had hitherto pursued a serene course of passivity in the turbulent turmoil of political strife, turned out zealously in the cause of morality and religion, imperiled in its cherished exponent. Usually few men turn out to nominations. The popular voting is reserved for elections. That contest for a nomination had all the intense interest of an election. The ordinary political managers in counties were aghast to see the people taking the authority from their hands. Tricks and tickets were set at naught. Town cliques, usually omnipotent, were brushed aside like cobwebs, and their manipulations punctured like empty bubbles. In Richmond county over 2,000 votes were polled. In numbers of counties a thousand men turned out to select nominating delegates. Such a primary expression of the voice of the people had never before been given in the political annals of the State. And it was almost a continuous thunder tone of endorsement for the slandered Colquitt.

In the middle of the fight a new and frightful aspersion was shot upon the air just when a majority of the important counties were to act. It was the last and reserved fire of the calumniators. It made Colquitt more votes. The people, thoroughly aroused, rolled up increased majorities for the gameful Colquitt. The speeches made by Colquitt and Gordon were stirring and effective pieces of hustings oratory. They were invited to all parts of the State. Immense gatherings met them wherever they were announced. Both are strikingly handsome men, both possessed of magnetic personal presence, both captivating public speakers, both individuals of exalted Christian piety, and both had been successful and brilliant soldiers. The victories in some of the counties were extraordinary, and the enthusiasm they created was unbounded. In the powerful county of Burke, where Lester was born, the toughest struggle of the campaign resulted in a solid delegation for Colquitt. The wealthy and influential county of Houston, one of Hardeman's strongholds, chose a fervent Colquitt delegation. Even Merriwether county, the life-long home of the venerable Judge Warner, gave a majority of district delegates for Colquitt for a county convention to select State delegates. The Warner men appointed delegates, and there resulted a contest in the State Convention. The victory for Colquitt in Merriwether was not a beneficial one in results. It very much displeased Judge Warner, and begat in him a stern opposition that he pushed in no half-handed way. It is due to truth, however, to say that amid all the vilification of Governor Colquitt, he never spoke a word of abuse against his rivals. He went steadily forward in firm reliance upon his own merits, uttering no detraction of others.

It was very amusing to see how widely apart the strength of the candidates was put by the opposing papers. The *Constitution* of Atlanta, whose information had been culled and sifted with vigilant care, and that had the benefit of all of Gov. Colquitt's comprehensive and accurate correspondence, gave Colquitt 224½ votes out of the 350 votes in the Convention, or within nine of a two-thirds majority. When 320 delegates had been chosen, the *Constitution* gave Colquitt 203½, Hardeman 44, Lester 38½, Gartrell 16½, Warner 3, Doubtful 7, anti-Colquitt 7½. The Atlanta *Post-Appeal* divided 308 votes as follows: Colquitt 143½, Lester 72½, Hardeman 42, Gartrell 29, Warner 7, Underwood 2, anti-Colquitt 18. The Macon *Telegraph and Messenger* estimated 318 votes as follows: Colquitt 189½, Hardeman 54½, Lester 42, Gartrell 16½, anti-Colquitt and Doubtful 15½, but gave Colquitt 215 votes for the

first ballot. A bare majority was 176. The Anti-Colquitt papers estimated Colquitt's vote under a majority. Both sides claimed to be unerringly correct.

A question that excited much feeling and speculation, was whether the convention should adopt the two-thirds rule. The majority rule would give the nomination to Colquitt. The old usage of the Democracy had been the two-thirds rule in National Conventions. This rule was adopted in the Democratic Conventions from 1843 to 1857, in the Convention that nominated Gov. Brown. In December, 1871, Gov. Smith was nominated under the majority rule. The Convention of 1872, that renominated Gov. Smith, adopted the same rule. The Convention of 1876 used no rule in the nomination of Gov. Colquitt.

The Convention met in Atlanta, on Wednesday, the 4th day of August, 1880, at half past two o'clock. The delegates assembled in the representative chamber, at eleven o'clock, but it was found that the large hall would not hold them, unless the desks were moved out, and the hour of meeting was postponed for this purpose. There were 549 delegates representing every county in the State, and 350 votes. There never has been in the history of Georgia, and there never probably will be such another Convention. During war days no such fever has been aroused. Gov. Colquitt's crushing sweep of county triumphs, and magnificent popular majority, had not subdued in the slightest extent the determined hostility of the opposition, but rather intensified it seemingly. The convocation of inflammable spirits came together primed for an irrepressible explosion, and the out-burst ensued inexorably.

Gov. Colquitt's friends met in caucus in the large Concordia Hall, Lester's adherents in the breakfast-room of the Kimball House, and Hardeman's supporters at the Markham House. Colquitt's caucus was like a convention and packed the large hall. It was an unwieldy gathering, but it somehow settled, by its own inspiration, into cohesiveness and accord of action. Caucus meetings were held nearly every evening, and the policy of the next day discussed and decided. And it was a curious demonstration of zeal and interest that these advisory gatherings continued to the last with full attendance. Several of them were a species of political "love-feast." The first and main subject of discussion was the two-thirds rule. There was a contrariety of opinion. Some very strong men, led by Hon. Patrick Walsh, were in favor of the majority rule. Gov. Brown advised the adoption of the two-thirds rule, and some of the Colquitt men would have no other. This subject

was ably discussed from every stand-point. Gov. Brown believed that enough delegates would, after a while, come from the opposition to give the two-thirds to Colquitt, if his friends stood firm. But if they did not, and it was necessary to go before the State with the Democracy split, because the minority refused to carry out the will of the majority, and the opposition party vote should become a balance of power, it would be easier to get that vote than if a regular majority nomination was made. One fact had to be confronted squarely, and that was, that the leaders of the minority had come to the convention to defeat Colquitt at any cost and in any way. His friends were equally resolved to carry him through.

The anti-Colquitt men boldly declared that, if the majority rule was adopted, which Colquitt's supporters could do, they would bolt the convention, and make a separate nomination. Under this rule Colquitt's nomination was a certainty. Under the two-thirds rule they hoped to prevent his nomination. Mr. Walsh saw the spirit of the opposition, and was for "taking the bull by the horns" and making the issue, leaving the minority to their remedy of acquiescence or the responsibility of disintegrating the party by disobedience to its action. Mr. Walsh developed in this whole session in caucus, and on the floor of the convention, the most salient and potential traits of leadership. When his sturdy, strong-set, firm-planted figure rose, his coat closely-buttoned, shoulders thrown back, his head poised solidly and unmoving on his stout neck, his determined, massive face gazing steadily forward, with his short, straight hair rolling back in a leonine way from the brow, and his resonant, compassing voice uttering with a singularly strong emphasis, his clear-cut, direct sentences, he was a striking embodiment of force and earnestness, and he held the eager attention of the vast body upon every ringing syllable. There was no deviousness in this superb Irishman's strategy. He was as direct as the course of a cannon ball. His individuality was the more impressive that he has nothing in him of the mercurial and flashing quality supposed to belong to his high-mettled nationality. His best power was his fine, intense repose and freedom from nervousness. Fearless, true, able, eloquent, earnest, devoted, immovable by menace or temptation, Mr. Walsh made more repute, stood upon higher ground and was more the target for the hostile fire of the opposition than any other member of this stormy and unprecedented convention.

Gov. Brown's view was adopted by a large majority in the caucus. Mr. Walsh was made temporary Chairman of the Convention, which

was opened by Judge Geo. N. Lester, Chairman of the State Democratic Executive Committee, in an eloquent little speech, earnestly urging party harmony. Mr. Walsh delivered a ringing address. Among the delegates who figured during the session were: A. L. Hawes, F C. Furman, F. G. Du Bugnon, T. W Akin, A. W Fite, P M. B. Young, Clifford Anderson, S. H. Jemison, R. W Patterson, Samuel Hall, R. F Lyon, J. L. Hardeman, E. R. Harden, E. F Lawson, R. O. Lovett, J. P Thomas, J. L. Warren, A. P. Adams, T. M. Norwood, H. H. Carlton, T. N. Rucker, P W Alexander, U. B. Wilkinson, L. H. Featherston, J. C. Nisbet, David A. Vason, R. Hobbs, J. R. Towers, Wm. T. Newman, W M. Lowry, Walter R. Brown, G. W Mabry, M. L. Mershon, W R. Rankin, T. M. Peeples, Henry Perry, W J. Northern, Geo. M. Nolan, John W Glenn, J. W Preston, W P Johnson, F. H. West, H. T. Hollis, Thos. E. Watson, J. R. Casey, W R. Gignillatt, G. A. Cabaniss, W Luffman, W W Giddens, S. E. Field, F. G. Wilkins, John King, J. M. Russell, L. F. Livingstone, James M. Smith, J. C. Nicholls, N. J. Tumlin, C. M. Bozeman, Geo. W Jordan, W A. Reid, W M. Anderson, T. L. Guerry, R. H. May, J. V H. Allen, P L. Cohen, W Daniel, P Walsh, J. C. Dell, John D. Stewart, E. P Speer, W A. Hawkins, John A. Cobb, A. A. Carson, J. T. Willis, L. C. Hoyle, S. G. McLendon, H. W Hopkins, F. M. Longley, A. D. Abrahams, F. B. Wimberly, C. J. Wellborn, W H. Pilcher, A. B. Purdom, D. B. Harrell, J. H. Nichols, F H. Colley, L. N. Trammell, I. E. Shumate, J. A. W Johnson, W A. Harris.

There were contests from Clinch, Chattahoochee, Merriwether, Washington and Wilkinson counties. The Colquitt men having a majority, had the whole matter in their own hands, but the seated delegates were pretty equally divided between the contesting sides. Among the contestants admitted were W T. Revill, J. Sweat, J. N. Gilmore and J. K. Hines. The Hon. L. N. Trammell was elected, unanimously, President of the Convention. There has never been, in the history of public conventions, a finer piece of parliamentary presiding than Mr. Trammell's government of this fiery convocation. It must be held in mind that he was a warm Colquitt supporter, and he had to steer between the expectation of his friends for that decided leaning to his own side, that an experienced chairman can so helpfully give, and the proclivity of the opposition to suspect his fairness and censure his rulings. It was the highest possible tribute to Mr. Trammell, that both sides were satisfied and deemed his action fair. Not only this, but in the clash of parliamentary strategy and in the turbulence of heated debate, there were repeatedly

L. N. Trammell

HON. L. N. TRAMMELL, PRESIDENT DEMOCRATIC CONVENTION.

two dangerous contingencies constantly threatening, viz., inextricable confusion in the order of business and an ungovernable turmoil. Mr. Trammell met both of these perils with a most masterly skill and firmness. His solution of a parliamentary puzzle was instantaneous and decisive. No man with a less available and thorough knowledge of the law of deliberative bodies could have been equal to the trying occasion. His intuitions were like lightning, and as resolute as the edicts of an autocrat.

Both sides stood in eager, reckless antagonism, and fought for every advantage. Both sides were determined and combative, and their spirit drove to an explosion. Mr. Trammell held the unruly elements with a strong hand, and carried the stormy proceeding for seven long days to an orderly conclusion. It was a splendid triumph of presiding genius. And it was an extraordinary and unequaled piece of tact, intelligence, firmness and leadership. The policy of the Colquitt men, looking to win converts, was conciliation. The policy of the opposition, looking solely to defeat Colquitt, was collision that would solidify the anti-Colquitt men, and they therefore used every means to stir strife and sting the majority to feeling and aggressiveness. In the Colquitt caucus the line of a determined silence was laid out, but the minority leaders were so adroit and annoying, putting the smart so effectively that time and again some of the majority, worried and goaded out of all discretion, slopped over and went to fighting back in good fashion to the unspeakable delight of the minority leaders.

There never was just such another parliamentary battle. It was a large body of unusual intelligence. It was an unbroken majority against a solid minority. The leaders on both sides were men of splendid wit. The masses of both sides were men of conviction and pride. Colquitt's hold on his followers was a marvel of personal influence. The other candidates were speedily absorbed in the overwhelming and implacable purpose to defeat Colquitt, and the hold of the opposition leaders on their coalition of four conflicting squads, caring nothing for each other, and only united in a crusade to defeat a common opponent, was a phenomenon of management. The minority leaders were afraid of their men, who were disposed to yield an unavailing fight, especially when they were placed in the disagreeable position of an obstinate and factious minority. And these leaders would stir up a hot debate, when an injudicious speaker of the majority, under some scorching provocation, would blurt out a reproach that would weld the dissolving minority. The greatest danger was in the withdrawal of the

minority candidates, under the appeal that they were holding their names as instruments to prolong a strife and balk a decided majority. The minority leaders overcame this peril by pressing the obligation upon these candidates to stand to the friends who had fought their battle. It was a cruel slaughter of men for an honorable idea.

All through the thrilling conflict it seemed as if a series of well-meant acts of the majority played into the hands of the keen-witted and implacable minority leaders. Just when the convention seemed at a solution, some unfortunate episode would remit the body back to turbulence and irreconcilable division. Every effort was made to break the unity of the Colquitt phalanx. Man after man of its leaders was tempted with the nomination. The minority, it was alleged, was ready to support any one the majority would offer, except —— Colquitt. It was a strange and persevering fight on one unalterable line. It was a miracle of hostile tenacity. Nor is there any reasonable solution of it in the mere opposition to Gov. Colquitt. Men were pushing this crusade of enmity to Colquitt, who had none of it, and were merely using it as a weapon. This will be referred to later.

Gen. Young threw the two-thirds rule at the minority with a ringing defiance that roused every spark of the war spirit. In the majority caucus it had been determined to concede the two-thirds rule for this convention, but to urge that the majority rule prevail in future conventions. Mr. Walsh made an eloquent effort to press the majority rule for the future, but strange to say, the unspeakable folly was committed of the members of the majority voting in the convention against a measure they supported in caucus. This episode did no good to the majority, and gave the minority a manifest advantage. One of the gentlemen who made a fine impression on this body, was I. E. Shumate, of Dalton, Whitfield county. Both in caucus and convention, he was very brilliant and impressive. His oratory is musical and stirring, and his matter and manner dignified, conservative, and magnetic. He evinced a rare quality of leadership. His colleague, Col. J. A. W Johnson, in several meetings of the caucus, made some talks in his own inimitable, tingling style, that will stay in the memory of every man that heard them.

The next movement that excited sharp discussion, was the report of the Committee on Rules. Judge D. A. Vason was the author of the two regulations that no man should be voted for, who was not nominated, and no man should be nominated whose permission had not been first obtained. This was an innovation upon the ordinary code of gov-

eminent of conventions, but it was done to prevent the practice of ringing in "dark horses." Judge Harrell, and Mr. Thomas E. Watson, a bright young anti-Colquitt man from McDuffie county, opposed these rules, declaring them "gag law." Judge Vason, a clear-headed, solid gentleman, defended the rules as necessary to prevent disorganizers breaking up the convention. The rules were adopted. An immediate attempt to reconsider the matter was made by Mr. Sam Jemison of Macon, a gentleman of unusually fine speaking power, with a fluent, forcible diction, and a voice of penetrating quality. He was supported by A. P. Adams of Chatham, and Dr. H. H. Carlton of Athens. J. W Preston of Jasper, and B. L. Ross of Houston, opposed reconsideration. On motion of E. F Lawson of Burke, the reconsideration was tabled.

One of the undoubted leaders of this strong body was Hon. Clifford Anderson, who headed the Macon delegation for Col. Thomas Hardeman. He made some brilliant speeches, and showed a consummate readiness in debate. He moved that the members of the convention pledge themselves to support its nominee. J. W Warren, W T. Newman, Patrick Walsh and Mr. Jemison supported the motion, which was carried. Mr. Jemison alluded to the "infamous gag," and was promptly called to order by the chairman, when he as promptly withdrew the sharp phrase. Mr. W J. Head, of Haralson county, boldly declared that he should vote against Colquitt now, and vote against him in October. Irrepressible little outbursts of a heated temper, continuously occurring, indicated that there was trouble ahead.

The nominations were made with eloquent taste. John D. Stewart, of Spalding, presented the name of Gov. Colquitt; Mr. Walter R. Brown, of Gen. L. J. Gartrell; Clifford Anderson, of Thomas Hardeman; Thomas M. Norwood, of Rufus E. Lester, and Mr. J. N. Jervis, of Judge Hiram Warner. The first ballot was taken amidst profound attention, and the deepest interest. The original alignment of the five little representative armies, was the most important movement of the battle. The vote stood, Colquitt 208⅔; Lester 58½; Hardeman 54⅚; Gartrell 17½; and Warner 11. Nine ballots were taken right straight along on this the second day of the convention. The 9th ballot stood Colquitt 209⅔, Lester 69, Hardeman 50⅓, Gartrell 14½ and Warner 6. Colquitt had crept up a vote, while Lester had gained considerably. It was a dead-lock, however, the masses of each division standing firm, while a few votes skipped around.

On the third day occurred two exciting episodes that fired the Convention to an almost uncontrollable pitch. The minority leaders sprang a

subtle ambuscade with masterly sharpness. Dr. Henry H. Carlton, one of the shrewdest of the minority chiefs, proposed that a committee of two from each of the five parties be appointed to go out and select a compromise nominee. The inequality of this proposition, giving to Judge Warner's eleven supporters the same proportion of committeemen with Gov. Colquitt's nearly two-thirds majority of the Convention, and submitting the rights and preferences of the majority of the body, to an umpire, in which the majority had a two-tenths voice, and the minority an eight-tenths control, was something so immeasurably cool and unreasonable, that it excited a flurry of indignation. It was felt to be an open, glaring declaration of war upon Colquitt, and the announcement of an uncompromising policy of resistance to the will of the majority, so far as his nomination was concerned. It was a characteristic act, of the fearless and straight-forward Walsh, to meet this issue clearly and frankly. Rising with cool deliberation, and speaking with a measured, but intense emphasis, he made the most memorable speech of that long and fiery convention. It threw off all qualifications and stopped the parleying. With the characteristic directness of the man, it put the opposition upon the fullest manly notice, and it laid down the end in a remarkable spirit of prophecy. Recognizing that the minority meant a no-quarter war, it accepted the issue distinctly and boldly, in these ringing words.

"MR. CHAIRMAN: Speaking for the distinguished gentlemen whom I have the honor to represent, I will say to the Convention that we have anticipated the resolution introduced by the gentleman from Clarke, and that we have conferred and have come to a decision, and the decision is to carry out the voice of the people of Georgia as expressed in nearly two-thirds of the counties of this State [applause]; and that voice is that Alfred H. Colquitt shall be the next Governor of the people of Georgia [cheers]. I say the people, in order to preserve the integrity of this party and to conform to its usages, have upon this occasion—and this occasion differs from no other State Convention that has been held—sent us here to perform a formal duty. They have passed upon it themselves, and I say we will not be true to the voice of the people if this Convention does not nominate Alfred H. Colquitt! [continued cheering.] In this great State a majority—nearly two thirds—of the people prevail in that opinion, and the friends of Gov. Colquitt, in a spirit of harmony, in a spirit of peace, and with a liberality that should be admired and appreciated, have deviated from the usages and customs of our party in the past ten years, by adopting the two-thirds rule. But gentlemen say that, in former State Conventions there was no reason why the two-thirds rule should have been enforced, because there was no opposition. Why, sir, so much the more reason for the rule being used at all times in the Democratic party. If it is to be so much respected there was all the more reason why it should have been adhered to in the former State Conventions. But, sir, it was the voice of the men of brains, progress and patriotism that the rule should be repealed and the majority rule should prevail! [cheers.]

I say we made these concessions in a spirit of harmony, in order to maintain the integrity of the party. But we have come to respect the will of the people, and we do not intend to depart from the city of Atlanta until we have nominated Alfred H. Colquitt! [great applause.] We have come here to do that if it takes us until Christmas to do it. [Renewed cheering."]

The excitement that followed was indescribable. The motion was tabled and a ballot taken. Mr. Watson then arose and offered the following list of gentlemen, and moved that "six delegates be appointed from each faction in the Convention, Colquitt and anti-Colquitt," to select a candidate *other than those before the body*, stating that he did this to answer Mr. Walsh: Gen. A. R. Lawton, Gen. Henry R. Jackson, Hon. Thomas M. Norwood, Hon. Joseph B. Cumming, Hon. J. C. C. Black, ex-Gov. James M. Smith, Hon. M. H. Blanford, Hon. P W Alexander, Hon. Martin J. Crawford, Hon. A. O. Bacon, Hon. Clifford Anderson, Hon. H. G. Turner, Hon. James Jackson, Hon. Augustus Reese, Hon. George Hillyer, Hon. George T. Barnes, Hon. Henry D. McDaniel, Hon. W H. Dabney, Hon. A. T. McIntyre, Hon. W M. Hammond, Hon. Milton A. Candler, Hon. David E. Butler, Hon. John I. Hall, Hon. Robert P. Trippe, Hon. Joel A. Billups, Hon. J. H. Blount, Hon. Thomas M. Lawson, Hon. H. V M. Miller, Hon. N. J. Hammond, Hon. Alexander H. Stephens.

Mr. Watson followed with a bright and most fiery little speech, that swept the minority into a perfect whirlwind of delirium. His sentences came out with a condensed intensity of passion. Among other things, he said:

"Sir, I am tired of hearing the cry of generosity, when I see no generosity [applause]; I am tired of this cry of harmony, when I see no harmony [applause]. I have not come here to be fattened on chaff, nor filled with taffy. You might as well attempt to gain flesh on corn-cob soup in January [laughter].

"Mr. Chairman, I have said, and I say now, that I am here with no bitterness of partisan rancor. I have fought this much-named gentleman, A. H. Colquitt. I have fought him honestly. I have advocated Rufus Lester. I have advocated him honestly. But high and serene above them both, above my opposition to Colquitt, above my support of Lester, rises my love, my devotion to my State, like the tranquil star that burns and gleams beyond the reach of the drifting clouds [cheers]. * * *

"Sir, the gentleman's position means that we must take Colquitt or the party shall be disrupted. Sir, if it must come, let it come [cheers]. We love the party, honor it, are devoted to it, but we will not yield when the gentleman's speech has made it a loss of self-respect to surrender.

"If they will split this Convention, we will be here to the end [applause]; if they will sink the ship, we will remain in her shadow to the last [applause]. We would

deprecate it. We would deplore it. But if she can only be saved on terms as unmanly as these, then—

"'Nail to the mast her holy flag,
Set every threadbare sail,
And give her to the god of storms,
The lightning and the gale.'"

[Great applause.]

The effect upon the combative and heated minority was electrical. From all parts of the hall they crowded up to him to shake his hand and congratulate him. Mr. T. W Akin followed with a spirited appeal. Upon motion of Mr. Walsh, the resolution was laid on the table, and Mr. Joseph stirred a shout of laughter with this motion: "I move the mole-hill now come to the mountain."

Among the ablest heads of the minority was Mr. Josiah L. Warren, a fine speaker, a rare talker, an affluent humorist, an unsurpassed political manager and an unsparing opponent of Colquitt. He rose and with a soft diplomacy said it had been the purpose of the minority to present the olive branch of peace, and they stood ready to unite in friendship on some standard bearer "*other than the one you have.*" Mr. Ross of Houston "offered Hon. Alfred H. Colquitt as the man on whom to unite." Mr. Livingston of Newton replied, urging the friendly spirit of the Colquitt men, alluding to yielding the two-thirds rule and dividing the contested delegates. He added:

"I desire to say that the Colquitt men are not for disruption, and do not intend to produce it. I desire to say that if you are tired of your friends, and if you are so patriotic as to desire a compromise, present it to us and we will see what we will do with it. [Applause.] We have no intention of dropping Colquitt now. [Cheers.] We would be untrue to the people and onrselves to do so! [Cheers.] We have no feeling in this matter outside of our duty. [Applause.]

The balloting went on to the 19th with little change: Colquitt 211$\frac{33}{50}$, Lester 58$\frac{11}{16}$, Hardeman 51, Gartrell 15$\frac{1}{2}$ and Warner 13. Gen. Imboden offered a resolution for four of the minority to meet five of the majority and select a candidate whose name *was not before the convention.* He made a strong speech for his motion. Mr. Livingston asked if the opposition had centered on a man. Col. Imboden said they could not present a man without his consent, but for the majority to name him and the minority would come to him. Col. Geo. M. Nolan of Henry county, who made some admirable speeches in caucus and convention, said this was the same voice in another dress—it was the hand of Esau, but the voice of Jacob. The majority had time and again presented the name of a spotless character. Mr. Duncan moved

to amend by leaving out the words excluding the present candidates, but Col. Imboden withdrew his resolution.

On Saturday the 4th day this racy convention had a new and tingling experience. The Colquitt men were pretty solid, but not wholly so. They had sturdily refused to yield Colquitt, and nothing had been able to move them. When therefore Judge W A. Reid of Putnam, a Colquitt delegate, arose and urged Judge Thos. G. Lawson for nomination, the fury it created was maddening. Mr. Shumate replied in a superb response of exquisite felicity and eloquence for Gov. Colquitt, urging his support by two-thirds of the people as an evidence that he could rally the party around the standard of unity, and intimating that Chatham county could, by a patriotic course, now secure Lester in the future. Mr. Norwood charged that the Colquitt men were putting Colquitt above the party. Col. Willis Hawkins arose on his crutches and in his inimitable and electric way replied that they were there to enter up judgment for the people who had rendered their verdict. Mr. Murphy retorted that his side would file a bill of exceptions. Mr. J. W Preston declared that he would vote against Gov. Colquitt, if any man would prove a single act of wrong against him. It was, however, when Mr. Preston alluded to Clifford Anderson having, after fruitless balloting in the Congressional convention in the Sixth District, secured J. H. Blount's nomination for Congress and broke just such a dead-lock as this by an eloquent appeal for harmony, that the most prolonged and craziest excitement of the convention occurred. Delegates rose to their feet waving hats and handkerchiefs, and peal upon peal of deafening cheers thundered through the house. The point was the stronger because Mr. Preston himself was defeated by Mr. Blount, for the congressional nomination, through this very appeal of Col. Anderson. Col. Anderson arose cool, serene and poised, and met the palpable hit with consummate force and adroitness; utterly unconfused and undisconcerted he drew an elaborate discrimination between Col. Blount and Gov. Colquitt, arguing that the former was the only man that could unify his District, but Gov. Colquitt could not unite the Democracy of the State. Gen. Young put in a question that brought down the house, as to whether, when it was found that Hancock had a majority of the National Convention, did not every one flock to him.

The truth is that this debate was sparkling and fervent beyond measure, full of hits and oratory, a magnificent and sustained combat of eloquence and ready intellectuality. At the proper moment Mr. Warren, thinking the fever right, arose, and hoping and planning to

carry the convention in one of those mad tornadoes of impulse that sometimes seize bodies of men, wearied with strife and unavailing ballots and ready to drop anybody and go for anybody almost, he moved that Thos. G. Lawson be nominated by acclamation. The maneuver fell dead. The minority went for it with a wild rush, but the solid Colquitt army, compact and immovable, untouched by the frenzy and temptation, grimly frowned down the ambuscade. Alarmed that the movement might release the minority delegates from their candidates, the quick-witted Warren, discerning the failure of his plan, and the threatening peril, promptly withdrew the nomination and told the minority to rally to their leaders. The twenty-fifth ballot was finally taken, and the convention adjourned until Monday.

It must not be overlooked in measuring this remarkable convention, that the delegates were getting no pay and were on heavy expense, and many of them men of moderate means who had come only prepared to stay a day or so. It will show the fire that had become kindled that the convention held together. Men raised money to see the battle through, and the body re-assembled Monday, the 5th day, in full force.

It was a settled conclusion, that a number of the leaders of the minority meant to default Colquitt at all hazards. Whether they could hold their followers was the practical question. Col. Norwood was approached Saturday by a Colquitt delegate, and was reported to have said there could be no compromise, and Colquitt must be defeated. Gov. Colquitt made a speech to the caucus Saturday night, that was a miracle of effect. He would gladly withdraw from the contest and the responsibilities of office, but he never retired under fire, and the fight upon him simply forced him to keep the field. The delegates in strong enthusiasm, pledged him continued support. Telegrams poured in from various parts of the State to stand firm.

The convention re-assembled Monday morning. Judge Reid withdrew Judge Lawson's name. The twenty-sixth ballot was taken with no change. Another episode occurred of a break in the Colquitt ranks, but it was powerless to change the alignment. Mr. S. G. McLendon, of Thomas county, a very effective young speaker, said that he had stood to Colquitt as long as there was a chance of his nomination, that a nomination was impossible with the names before the convention, and that he could not follow Colquitt to the peril of the party. Mr. McLendon was followed by a gifted young delegate from Bibb county, Mr. R. W Patterson, who made one of the most brilliant and impassioned speeches of the convention—a speech that at once fixed his fame as an orator.

He plead for party harmony. The twenty-ninth ballot was taken, and the Convention adjourned.

On Tuesday morning matters came to a focus. In the Colquitt caucus Monday night, it was resolved to allow a fair chance for an harmonious conclusion of the strife, and if that could not be had, to pass a resolution recommending Colquitt as the Democratic candidate for Governor. Judge Harrell offered a resolution requesting the five candidates to withdraw, but it was voted down. Mr. Walsh then offered the following resolution, that has become historic:

"*Resolved*, That the Democratic party of Georgia, in Convention assembled, hereby renews the expression of its devotion to the great principles of the Democratic party of the nation, and pledges the united and enthusiastic support of the Democracy of Georgia to Gen. Winfield Scott Hancock and the Hon. Wm. H. English, the nominees of the Cincinnati Convention.

"2. *Whereas*, After a long and tedious session of this Convention, and continuous balloting, it appears that no nomination of a candidate for Governor can be made under the two-thirds rule; therefore, be it *resolved*, That this Convention recommend to the people of Georgia, Gov. Alfred H. Colquitt as the Democratic candidate for the office of Governor at the ensuing election, provided that this resolution shall not go into effect until three ballots shall have been had under the two-thirds rule, and it is demonstrated that no nomination can be effected thereby.

"3. *Resolved*, That a committee of nine, consisting of one from each Congressional District, be appointed by the Chair to notify Gov. Colquitt of the action of this Convention and request his acceptance."

The reading of the resolution created a profound sensation. Mr. Walsh said, in his resonant accents, that the argument was exhausted, and he moved the suspension of the rules and called the previous question. The excitement was intense. The minority resisted bitterly. The fiery young Watson said gamely, "We were tied to the names before us, hemmed up, penned up, starved out. I said that these gyves being upon me, I could never go to Colquitt, and I never will." The rules were suspended. The first resolution about Hancock and English was unanimously adopted. Dr. Carlton offered a resolution that was read by courtesy, "That this convention nominate Alexander H. Stephens by acclamation." Dr. Carlton tried to speak. Cries of "order." Mr. Brown, of Fulton, began to say something of "why sentence of death should not be passed upon the Democratic party." Cries of "order" and "go on." It was a confused time, but the Chairman, Mr. Trammell, held the Convention to its business with a steady hand. It was evident that the crisis had come. The majority had the power, and were firm. Judge Willis of Talbot, asked Mr. Walsh to withdraw

the resolution long enough to allow the minority time to consult. An adjournment was made until 3 o'clock for this purpose.

The minority met in caucus first at the Kimball, and then at the Markham House. It was apparent at once that the solidity of the minority was broken. Strong men refused to go farther in the fight upon Colquitt, and in the disintegration of the Democracy, notably Col. Clifford Anderson, Judge J. T. Willis, and R. W Patterson. But the greater part of the minority stood immovable and unrelenting. The convention met in the afternoon, under very intense feeling, the majority quiet but expectant of success, and the minority depressed and divided, but with its opposition element stubborn and watchful. The resolutions of Mr. Walsh were adopted. The 30th ballot was taken, and was unchanged, save that the minority concentrated on Col. Hardeman, and for the first time the contest was narrowed to two men. The 31st ballot showed a concentration of the minority on Lester, but with a grim adherence of each side to its man.

Mr. Reid of Putnam, offered a resolution for a Conference Committee of three from the majority, and two from the minority, to consult and report. Gen. Young favored the resolution. The rules were not suspended, so the resolution failed. Col. P. W Alexander of Cobb, offered a resolution that it was the supreme duty of the convention not to adjourn until it nominated. A fiery discussion ensued. There is little doubt that some of the minority leaders drove the discussion, to heat the body and solidify the minority. It was a debate full of fire and taunts. There is no doubt, either that some of the utterances of the majority speakers, thus provoked, stopped the change to Colquitt. Dr. Carlton and Col. Alexander made speeches, and were replied to by Col. Preston and Col. Livingston. When Col. Preston said the minority was determined not to nominate Colquitt, the response "no! no! never!" pealed from that side. Col. Livingston declared that it had been the policy of the minority "to stuff into our face everybody's name, but that of Alfred H. Colquitt," and that "persisteney on that line was an insult to the Colquitt delegates." Prolonged applause, hisses and great confusion followed this statement. He thus concluded:

"It cannot mean that they are in earnest; it cannot mean that they hope to accomplish anything by it, because I give these gentlemen credit for good common sense. If you do not hope to gain anything by it, why persist in it? If you do not intend to insist and stir up the baser feelings of our nature, and get up turmoil and strife in the convention, why insist? It has been manifested by Colquitt's friends that they intend to nominate him under the two thirds rule if they can; or if not to elect him by the

people, and you might as well receive it now. [Applause, long continued.] And they intend to put him in office next November. [Renewed applause.]"

The heated sparring continued until Col. Anderson asked a recess of half an hour. The convention re-assembled, and the 32nd ballot proceeded. Col. Clifford Anderson cast $2\frac{2}{3}$ votes for Colquitt as "an offering of peace." The applause was prolonged over this noble act of moral firmness. Judge R. F. Lyon, of the Macon delegation, with fierce emphasis, stated that he cast $1\frac{1}{3}$ vote for Thomas Hardeman, in the hope that it will "unite the Democratic party in solido." Applause and hisses greeted this. Judge Willis, in an eloquent speech, cast 3 of the Talbot county votes for Colquitt, saying that they were now testing the question whether they should dissolve the organized party, or cling to their preferences. Applause and hisses accompanied this manly utterance. The last ballot went on in blinding excitement, and the result was announced; Colquitt, $220\frac{13}{30}$, Lester, $58\frac{5}{6}$, Hardeman, $46\frac{7}{30}$, Gartrell, $15\frac{1}{2}$, Warner, $8\frac{1}{2}$. Gov. Colquitt still lacked 14 votes of a two-thirds nomination, but stood the recommended candidate of the party for Governor.

The convention then elected candidates for Hancock and Tilden electors. Hon. J. C. C. Black and R. E. Kennan were chosen at large, and A. P Adams and L. J. Glenn, alternates. The District electors were S. D. Braswell, W M. Hammond, C. C. Smith, L. R. Ray, John I. Hall, R. B. Nisbet, T. W Akin, Seaborn Reese, and W E. Simmons. The next day N. C. Barnett was nominated by acclamation for Secretary of State, and W A. Wright for Comptroller General. A spirited contest occurred for the nomination for Attorney General, between R. N. Ely, J. W H. Underwood and J. T. Glenn. Maj. Ely had a heavy majority, and Mr. Jemison offered a resolution in sport, that he be declared nominated, and that his resolution was offered to carry out the letter and spirit of the two-thirds rule. A shout of laughter greeted this rally. Col. J. S. Boynton's name was put in and withdrawn. Col. Clifford Anderson's name was announced, and he received the nomination. Maj. D. N. Speer received the nomination for Treasurer.

In the afternoon, W A. Harris moved to adjourn *sine die*. Judge Willis, in voting against it, appealed to the minority to come to Colquitt, and make a nomination. Before the vote on adjournment was announced, Mr. Dendy, of Harris county, said he did not wish the convention to adjourn without a nomination, and he changed four votes to Colquitt from Hardeman, bringing Gov. Colquitt within 9 votes of a two-thirds majority. The enthusiasm over this was immense, and the cheering

prolonged, and there is no doubt that the changes would have continued, and secured the nomination. But both Dr. Carlton and Col. Norwood objected to any changes of votes for the nomination, on a motion to adjourn. The convention adjourned with matters in this condition, and Gov. Colquitt was before the people as the selected choice of the Georgia Democracy for Governor, through the action of the most extraordinary convention of Georgia political annals.

The conduct of the convention was in the highest degree revolutionary, and it resulted in a schism in the Democratic party that the people alone could settle, and which they did settle with an overwhelming emphasis.

CHAPTER L.

GOVERNOR COLQUITT'S OVERWHELMING RE-ELECTION.

The memorable Colquitt Election Campaign of 1880.—The Minority Organize a Revolt from the Action of the Convention.—J. C. Dell and Mr. Wade.—The Invitation to Dr. Felton to Run.—Hon. Thomas M. Norwood put out as the Minority Candidate for Governor.—Gov. Colquitt Accepts.—Judge Hiram Warner Resigns from the Supreme Bench and Speaks Against Gov. Colquitt.—The State Press for Colquitt.—The Discussion between Colquitt and Norwood.—A Disgraceful Scene at Macon.—Attempt to Silence Colquitt, by a Violent Mob.—The Benefit to Colquitt.—The Leaders of the State Against Colquitt.—The Masses of the People for Him.—A Sharp Tilt between Gen. Gordon and Gov. Smith.—The Inspiration of the Opposition to Colquitt.—The Republican Convention makes no Nomination.—A Desperate Campaign of Calumny Against Colquitt.—Ben. C. Yancey's Charge and its Withdrawal.—Gen. Henry R. Jackson's Superb Speech.—The very Safety of Society and the Preservation of Character at Stake.—The Convict Catechism.—The Appointment of Gov. Brown as United States Senator, a Leading Issue.—The Race between Gov. Brown and Gen. Lawton.—Gov. Brown's Work.—The Colquitt Workers.—Gov. Colquitt's Election.—The State House officers and their Aids.—The Canvass for United States Senator.—Gov. Brown's Election.

THE adjournment of the stormy convention of August, 1880, was the beginning of the second and still more heated phase of the memorable Colquitt gubernatorial campaign. The members of the minority were asked to remain in the hall. Mr. Norwood was made chairman. A committee of nine was appointed to prepare an address to the people and business for the meeting. The committee was H. H. Carlton, R. F Lyon, F. G. Wilkins, J. L. Warren, T. M. Imboden, J. W Staton, D. B. Harrell, W R. Brown, P W Alexander and H. T. Hollis. At night a resolution was reported that the recommendation of Gov. Colquitt was not binding, and the minority should have a candidate for Governor. There could not be a finer exhibition of moral courage than the action of Mr. J. C. Dell and U. P Wade, of Screven county, minority delegates, in opposing this resolution, in fearless dissent from the sentiment of the meeting, which expressed itself in hisses, though both were cheered. Their remarks were thus reported:

"Mr. Dell continued, and declared that the resolutions would inaugurate a new party in Georgia. The question is, shall we submit to the inevitable, or shall we begin revolution in the party. I speak for myself and for nine-tenths of my people that we shall

abide by the action of the majority of this Convention. It has declared that Governor Colquitt is the choice of the people, and I believe the people will endorse that verdict. [Cheers.] It is the duty of patriotism to adjourn now and go home without stirring up mischief in the party. [Cheers and hisses]

Mr. Wade, of Screven, said he had battled with the minority and had followed it everywhere. But the question now is, if we are not putting weapons into the hands of these men? I shall tell my people that it is best to submit to the inevitable. Gov. Colquitt will be elected in spite of us. [Great cheers and hisses.] I cannot approve these resolutions and I will clearly speak my sentiments. No men or set of men shall ever deter me from doing what I deem my duty. [Cheers and hisses.]"

A. P. Adams, S. H. Jemison, H. Van Epps and S. W Small made applauded speeches full of fire and opposition to Colquitt. For several days the air was full of rumors as to who would be presented by the minority. It was a heavy blow to the minority when it came out that on the 10th of August, before the convention adjourned, H. H. Carlton, J. L. Warren and Wm. Garrard had telegraphed to Dr. Wm. H. Felton, the acknowledged leader of the Independents in the State, asking him if he would make the race against Gov. Colquitt, assured of strong support, a request that Dr. Felton declined, as his friends wished him to continue the race for Congress. It was with a grim and exultant glee that Dr. Felton gave this significant correspondence to the public, and it so handicapped the minority that the gentlemen, who did the mischief, endeavored to break the force of the injury by assuming it as a personal act of their own.

It was rumored that Mr. Stephens, Col. Candler, Gen. Wofford and others would make the race. The problem was solved when Col. Thomas M. Norwood was declared the candidate of the minority. The committee of the minority, with G. M. McDowell as an additional member, issued an address explaining their course, and published the correspondence with Mr. Norwood. A large Executive Committee was appointed, with Col. P W Alexander, chairman, and a campaign central committee, with Col. M. A. Candler as chairman, and C. H. Williams as secretary. There is no doubt of the efficient labors of these committees. They conducted a campaign of remarkable vigilance and vigor. Mr. Williams, the secretary, was at his post to the last, and kept the struggle lively. Mr. Norwood's letter of acceptance bore date the 13th of August, 1880.

On the 12th of August the committee appointed by the convention, Philip L. Cohen, R. Ridgeley, R. Jones, W A. Hawkins, F. M. Longley, Geo. M. Nolan and Samuel Hall notified Gov. Colquitt of the action of the convention, and requested that he bear the standard of the

party. Gov. Colquitt replied in a singularly strong and dignified letter. He thus epitomized his administration:

"It has been gratifying to see a steady improvement in individual welfare and in every phase of the public condition, and I am not insensible to the compliment conveyed in your letter that you accord to me credit for these results to the full extent that an executive may properly claim in our scheme of public polity. Among the valuable results wrought in these years are, an elevated state credit, a diminished public debt, a decreased rate of taxation, enlarged sources of income, exaltation of the state's dignity abroad, and an abatement of sectional strife through Georgia's influence. To these may be added kindlier relations between the white and colored races, due to a liberal spirit in the encouragement of popular education and equal justice in the protection of all races in every right of citizenship to the fullest extent of executive authority."

The issue was thus made up, and the most intense and desperate political contest of Georgia history began. T. N. Rucker, a minority delegate from Clarke, had said when the convention adjourned, "it will be the bitterest campaign ever known in Georgia," and he predicted correctly. Mr. Norwood wrote to Gov. Colquitt, proposing a mutual retirement. Gov. Colquitt declined to retire under the heavy arraignment made by the minority against him, and contrasted his own candidacy as the choice of nearly two-thirds of the party with that of Mr. Norwood, as the nominee of a committee of nine. Both sides came down to work. It would require a volume to record the notable incidents of this unparalleled campaign. The contest preceding the convention had been a hot one. It was child's play compared to the struggle leading up to the election. It was a species of black flag fight. Judge Hiram Warner resigned his place as Chief Justice on the 16th of August, "for reasons of a private nature exclusively." In a speech in Greenville, during the campaign, he gave the following reason for his resignation, in connection with a decision of the Supreme Court on a suit of the State against the securities of R. A. Alston:

"The Governor thought proper to take an appeal before the people from the Supreme Court of the State, of which I was at the time Chief Justice. I had no intention at that time of resigning. I was able and willing to perform the duties of the office as I had been for the ten years, so far as I knew; but when I saw one department of the government arraigning another department of the government before the country in a manner calculated to weaken public confidence in its Judiciary, I felt that I could no longer, with honor to myself and credit to the people, hold that position. * * * *

"Therefore I tendered my resignation so as to give the Governor an opportunity to appoint a personal judge who might be willing to decide upon his official acts in accordance with his own personal wishes, and thereby save him the trouble of appealing to the people to review the judgment of the Supreme Court."

There was no more remarkable incident of this unprecedented cam-

paign than this slip of the venerable Chief Justice. It showed the rancor of politics; it showed the excess to which an honest man can go under a virulent anger; and it demonstrated the severity of this canvass. The people thought too highly of Judge Warner to believe him earnest in a reason for resigning that was neither just to him or Gov. Colquitt.

Mr. Norwood spoke in Atlanta, and Gov. Colquitt replied to him in a letter. This speech and letter formulated the issues of the canvass, and were both able and exhaustive. Mr. Norwood tripped up upon some of his facts and figures, and thus put himself at some disadvantage. But his speech was bold, earnest and aggressive. Gov. Colquitt's letter was the strongest document of the campaign, and it will pass into history as a model of political disputation. It was felicitous, dignified, concentrated and unanswerable. It was trenchant without discourtesy, and handled his antagonist unsparingly in a decorous manner. It covered every point of attack against him, and rested impregnably upon official facts and figures. Mr. Grady, the chairman of the campaign committee, sent it into every county in the State for the quiet perusal of every voter, and its clear statements supported by the records, carried an irresistible weight.

The large majority of the State papers took ground for Gov. Colquitt, led by the four powerful dailies, the Atlanta *Constitution*, Augusta *Chronicle and Constitutionalist*, Savannah *News*, and Macon *Telegraph and Messenger*. The strongest opposition to Gov. Colquitt was in the cities and towns, and all of these papers had a noisy and vigorous sentiment to antagonize. In Savannah and Macon it was especially bitter. Col. Estill of the *News*, was menaced in Savannah, with the loss of patrons and business. This was the home of Col. Norwood, and the campaign on that side ran into proscription. Col. Estill, with cool nerve, pursued his course, regardless of the pressure, while Col. Thompson wrote some of the best leaders of the campaign. The four Titans of the press wielded a prodigious influence. The Columbus *Times* later came out for Colquitt, and put in some telling blows. The Columbus *Enquirer-Sun*, Atlanta *Post-Appeal*, Savannah *Recorder* and Augusta *News* kept the liveliest sort of a fusillade on the Norwood side, and well exemplified the power of an earnest press.

A discussion was arranged between Gov. Colquitt and Col. Norwood and covered seven appointments, beginning at Augusta and ending with Columbus, and including the intermediate points of Madison, Co-

vington, Griffin, Macon, Butler, Talbotton and Columbus. It was an amusing peculiarity of the canvass that both sides claimed the complete triumph of their respective champions, and the utter demolition of their opponents. The matter depended very much upon whose side happened to have the majority present. Whoever had the numbers made the largest racket. Perhaps the fairest statement came from the Augusta *Chronicle*. It thus measured the speakers:

"Candor compels us to say that Hon. T. M. Norwood is no stump speaker. His two speeches in the Senate led our people to believe that he was a gentleman of oratorical power. He has no magnetism whatever, and as a public speaker he is not above the grade of mediocrity. Our whilom Senator is no match for Gov. Colquitt on the stump."

The selection of Col. Norwood was not a fortunate one in many respects. An elaborate and logical pleader, and possessing an affluent but not a ready or contagious intellectuality, he lacked fire and the magnetic element. A plain man in appearance, he was cold and unelectrical. He was not the leader for the masses. His antecedents too were against him. He had not participated in the war; he had taken the unpopular side as a receiver of back-pay in the Senate; he had been agent for some of our contested Bullock bonds; he had used some very hard things in his speeches about the negroes, whose votes were needed to elect him. All of these matters were used effectively against him. In Macon and Columbus the majority of the people assembled to hear the discussions were against the Governor, but at the other points were for him. An incident occurred at Macon that did great injury to Mr. Norwood's cause. He had the opening and the conclusion. The scene was unparalleled for a civilized community. Mr. Norwood made a severe arraignment of Gov. Colquitt. The Governor arose to reply, introduced by Hon. A. O. Bacon. The Macon *Telegraph and Messenger* thus describes the wild time that ensued:

"Thereupon occurred one of the most remarkable scenes ever witnessed, probably, in the state. For two hours the man stood before the people, speaking amid a storm of cheers, hisses, groans, cries, cat-calls, jeers and insults. Eloquence was powerless before it, and the presence of the most substantial and dignified citizens of Macon had little effect A dozen times the speaker was forced to stop entirely, and several times Col. Whittle, Capt. A. O. Bacon and others sought to calm the people in vain. It was only when Colquitt's time dwindled down to thirty minutes that he secured a comparatively quiet interval.

"It was the most disgraceful scene ever witnessed in this city, but let it be said to the credit of the greater portion of the crowd, that when called upon to endorse or condemn the confusion, there arose a shout of condemnation that for a little while awed the remainder into silence. The speaker struggled through it all, reminding a looker-on of a

strong swimmer battling with the waves. He kept his temper nearly all the way through, letting his indignation only find voice when it seemed as though human courage and patience could endure no longer. Whatever else his enemies may say of him, there were few who last night did not admire the unconquerable spirit that would not be overwhelmed.

"No intelligible report of the speech as delivered can be given. It was broken up into snatches through which were mixed the questions of the crowd and his answers."

The conclusion of this brave exhibition of manhood and endurance is thus portrayed by the *Telegraph:*

"At this time the crowd kept up a pretty lively fuss, but when the speaker ended his description of how Norwood was nominated, the excitement and confusion became overwhelming. Gentlemen advised the Governor to cease, but he refused. No one could be heard for a long time. Finally Captain Bacon addressed them, and in a sharp speech shamed the crowd into silence.

"When the speaker could be heard he attacked Norwood's war and senate record, but the confusion became so great that even the reporters within a few feet of him could not hear his words. Some one said something about Joe Brown, and the governor singled him out, and calmly said: "I will give you Joe Brown, if you wish it." He then gave them in clear language his reasons for the appointment. Brown was a democrat; had voted the ticket for twelve years; had acted with the democratic commission in Florida. He had voted for Grant; the democrats had voted for Greeley; he had favored the reconstruction measures; the democrats had afterwards endorsed them; he had not always been a democrat, but there were whigs in the crowd around him.

"This latter part burst from his lips in a torrent of writhing sarcasm, and, wearied, the Governor took his seat."

This occurrence will afford some conception of the desperate crusade against Gov. Colquitt, and of the lengths to which this stormy canvass ran. Here was the Executive of the State insulted by a howling mob; here was an officer whose record had been assailed, refused a hearing in reply to his assailant. The incident made hundreds of votes for Gov. Colquitt. His splendid bearing, under this trying ordeal, demonstrated the game quality in the man that all men so much admire. The stirring incidents of this canvass would fill a volume of the most dramatic type. It was a curious feature of it all, that the drift and the noise seemed to belong to the minority. The huzzaing and fire appeared overwhelmingly on that side. It looked like Gov. Colquitt was being swept away, yet to the critical and posted observer it was apparent that the great heart of the people, in its trust for him, was true and untouched. Strong leaders, one after another, threw themselves into the current against him, and unavailingly added their best energies for his defeat.

Ex-Chief Justice Hiram Warner, ex-Gov. James M. Smith, ex-United States Senator H. V M. Miller, Gen. A. R. Lawton, Hon. Rufus E.

Lester, Gen. Robert Toombs, Gen. Wm. T. Wofford, Col. J. C. C. Black, Hon. Milton A. Candler, Maj. Joseph Ganahl, Hon. A. P. Adams, Saml. H. Jemison, Esq., S. B. Spencer, Esq., H. Van Epps, Esq., Col. John D. Ashton, Samuel W Small, Hon. Louis F Garrard, Hon. Mark Blanford, Hon. Thomas W Grimes, Col. J. T. Jordan, Gen. Eli Warren, Hon. Nelson Tift, W M. Bray, Rev. J. R. Respess, Col. David E. Butler, Mr. Walter G. Charlton, Mr. Alvin Freeman, Dr. H. H. Carlton and others, joined in the affray and spoke or wrote letters against Colquitt. An effective worker on the Norwood side was Col. George W Adair, brimful of resources and expedients, and of a sleepless energy, and withal one of the wittiest of speakers. There was a close canvass of the whole State, and in many places elaborate discussions. Perhaps the attitude of Gov. Smith created the most varied commentary. It had been charged, that when he accepted the office of Commissioner of Railroads from Gov. Colquitt, he had stated that he would resign it whenever he antagonized his administration. Be this as it may, the criticism upon him was not kind, and in his speech in Atlanta he said he would resign, but it should be to——Gov. Norwood that he tendered his resignation. His speeches were very aggressive. He and Gen. Gordon struck at each other sharply.

Gov. Smith commented severely upon Gen. Gordon as urging that Gov. Colquitt was "persecuted for floating the banner of the King of Kings." And he continued with sarcasm:

"He has preached, as I have been informed, and as he says himself, to the colored people of the State. Again, we say all right. But did our good Governor ever think it worth while to preach to a camp of convicts in Georgia? [Great cheering.] Thousands of holy men have enlisted to teach Sunday schools, but who has felt himself commissioned to visit the camps of these poor unfortunates, and teach them the way of salvation? Has our Governor ever done so? If so, when and where? [Continued applause from whites and blacks.]"

To this Gen. Gordon made the telling reply:

"But Governor Smith makes his climax against the present administration, when he charges that Governor Colquitt does not preach to the convicts. [Laughter and applause.] Of all the marvelous things which have transpired in this marvelous campaign, the most remarkable and farcical is the spectacle of James Milton Smith lecturing Alfred H. Colquitt upon his duty as a christian. [Great laughter and cheering.] Why, I thought the charge against Colquitt was that he spent too much time running around to Sunday schools, and was neglecting on this account his duty as Governor; but it seems that this was all a mistake, and that the real complaint is that he did not do enough running about. [Laughter.] Fellow-citizens, it would take forty of the best lawyers in Georgia to tell what Governor Colquitt's opponents would have him to do. In one breath he is wasting too much time on religion, and in the next he is not wasting enough. [Laughter and applause.]"

This was keen sparring between these strong talkers. Another practical matter that was the subject of a racy tilt between these gentlemen, was the endorsement of the North Eastern Bonds. Said Gov. Smith:

"The opinion of Attorney General Hammond was adverse to the indorsement, and the same I hold has never been nor can be successfully met. It is still on file in the executive office. Disregarding all these, however, the Governor at last allowed himself to be persuaded to make the indorsement. But not until after the ratification of the constitution of 1877, which provides that the credit of the State shall not be pledged in aid of any work of internal improvement. The fundamental law which the Governor was sworn to obey, took away from the Governor, and from every other official, the power to pledge the credit of the State in such cases. Nevertheless the Governor, in the face of this provision of the constitution, made this pledge. The constitution said he should not do it. But he made the pledge. He swore to obey the constitution. I make no comment upon this. [Applause.]"

Gen. Gordon thus replied to this assault, the interruptions showing the fever of excitement that prevailed:

"But Governor Smith places his chief objection to Colquitt's endorsement on the ground that Attorney General Hammond, the former Attorney General of the State, had advised against the endorsement. Well, if Attorney General Hammond's opinion ought to have controlled Governor Colquitt, who did not appoint him to office, it certainly ought to have controlled Governor Smith, who did appoint him to office. Mr. Hammond was Governor Smith's legal adviser when he was in the Executive chair. Mr. Hammond was not Governor Colquitt's legal adviser, since he occupied that chair. Governor Colquitt's legal adviser (Major Ely) did not advise against Governor Colquitt's indorsement of the North-eastern Railroad bonds, and Governor Colquitt therefore, with the advice of the ablest counsel, gave the indorsement. Governor Smith's legal adviser did advise him not to indorse the bonds of the North and South railroad, but Governor Smith turned a deaf ear to his legal adviser and indorsed them notwithstanding. Governor Colquitt, with the advice of able lawyers, indorsed for a broad gauge road at the rate of $6,000 per mile. Governor Smith, contrary to the advice of his own Attorney General, indorsed for a narrow gauge road to the amount of $12,000 a mile. Governor Colquitt's indorsement never cost the State one dollar in money. Governor Smith's indorsement cost the State the loss of nearly or quite a half million dollars. [Cries of "Give it to him," "Hurrah for Gordon," "Hurrah for Smith," Laughter and hisses.] Governor Smith indorsed for the North and South Road, to the extent of $240,000 in all. Two hundred thousand of this was lost as principal, besides the interest for twenty years on the bonds which you are bound to pay. But this is not all. Governor Smith indorsed, against the advice of the Attorney General, for another railroad, narrow gauge at that, called the Memphis Branch up here at Rome, and he lost the State nearly every dollar of that money. [Laughter.] This railroad has long since gone "where the woodbine twineth." [Great laughter, cheers and hisses.] It is among the things that were. [Laughter] There is not a car, nor engine, nor bar of iron, nor cross tie left to mark the place where it once was. [Laughter.] Colquitt, according to Governor Smith, is a very weak Governor. Well, I am glad he has left no such monument of strength as this. [Applause] I rejoice that he was not strong enough to brave the advice of his own Attorney General

and pocket such a loss for Georgia. [Great applause.] Oh, my countrymen, what do you think of this warfare made upon Governor Colquitt by an ex-Governor who indorses one narrow gauge railroad for $240,000, and then buys it for $40,000—[cheers and hisses]—and who indorses for another narrow gauge road and loses it all except the pittance for which the iron and cars sold, leaving nothing else save the bare and gullied earth where it once was. [Loud cheering.]"

Both speeches were delivered at Columbus, though at different times. These speeches will also give an idea of the heat pervading this acrimonious contest. Against the powerful array of Norwood orators were enlisted and speaking for Gov. Colquitt, Gen. John B. Gordon, Col. Raphael J. Moses, Col. John D. Stewart, Gen. O. C. Horne, G. W Mabry, Esq., Grigsby E. Thomas, Esq., Walter B. Hill, Esq., R. W Patterson, Esq., Hon. I. E. Shumate, Col. J. A. W Johnson, W C. Glenn, Col. Jenks Jones, Geo. Fry, Willis Hawkins, David Vason, J. A. Billups, and others. The odds in the number of orators were against Gov. Colquitt.

One of the Colquitt papers presented a list of the Norwood leaders, showing that the majority of them had been defeated candidates for some place and shrewdly surmised that the movement was a powerful effort to build up a new party, that would bring the "outs" in, and the extraordinary personal crusade against Colquitt, was the selected means to accomplish the end. It was the fact that attack on Colquitt was the weapon of opposition. Mr. Norwood had his point of assault written out under some sixteen heads or more, and the document was so bulky that the huge and formidable indictment evoked a storm of badinage and retort. It certainly was an incongruous thing that so many ordinarily conservative men were engaged in this bitter personal campaign, so foreign to them, and so inconsistent with their character. It was a deeper motive than one man's alleged shortcomings.

The Republican convention met on the 7th of September, 1880, after the split. It was composed chiefly of colored delegates. The question of the Republicans nominating a candidate for Governor was a very important one. The Republican Executive Committee of the State had questioned their own authority to act, and had called a convention of nine delegates from each Congressional District. W A. Pledger, a bright young colored man, was Chairman of the Executive Committee, and called the convention to order. W J. White was elected President. The convention was a very turbulent one, but still quite unanimous. Col. Jonathan Norcross was a delegate, and offered a resolution for the Republicans to support Norwood. He made a speech supporting his resolution, and declaring that he had a letter from Marshall Jewell, say-

ing it was for the interest of the Republican party to go for Norwood. A hot discussion ensued. The convention finally passed a resolution by 72 yeas to 9 nays, to make no nomination. This left the Republicans free to vote for whom they pleased. The colored voter was a strong factor in the contest, and was sought by both sides. The penitentiary lease system entered very largely into the canvass. A number of colored speakers took the stump on both sides.

Gen. Wofford made the most effective talks to the negroes, and was very potential in changing them to Norwood. The battle waxed hotter as it neared the election day. The whole State was in a turmoil. The papers were filled with the notes of the angry strife. In the midst of the stormiest time, an incident occurred that gave a tremendous shock to the Norwood cause. Col. Ben. C. Yancey published a letter charging that Gov. Colquitt had drawn from the State $7,500 for the State Agricultural Society, and not accounted for the money. The next day followed the statement of the Secretary of the Society, Col. Malcolm Johnston, showing by the books the charge to be utterly unfounded, and every dollar accounted for. Col. Yancey was in Athens, and seeing the reply of Col. Johnston, he telegraphed his prompt withdrawal of the frightful error. This was the straw that broke the camel's back. The people had before become sickened with the crusade of calumny against the Christian Colquitt.

It was in the unparalleled turbulence of this phase of the conflict when the opposition was thundering its heaviest volleys against Colquitt; when it looked as if an unsparing enmity would be satisfied with nothing less than the moral wreck and political annihilation of a noble Georgian; but when the great public sense and feeling were quivering under an accumulated sense of indignation and injustice, that a chivalrous gentleman threw himself, stimulated by his own burning sensibility into the rancorous struggle, and gave eloquent, impassioned and unanswerable utterance to the overmastering popular sentiment that had been hitherto unvoiced. It was a dramatic incident, full of thrilling inspiration. The distinguished and brilliant citizen, who was thus irresistibly impelled into politics, in which he had taken no part since the surrender, was Gen. Henry R. Jackson. With every fiber of his intense soul throbbing over the prostitution of a great public election to the defilement of private character, this loyal scion of honor and courage, with the magnificent inspiration that is the child of truth and genius, under the guidance of right, struck the electrical key-note of the great conflict. It was not a question of policy or politics, of administrations

or dynasties, it was something grander and more vital; the very existence of civilized and Christian society demanded the crushing rebuke of slander as a political weapon and the protection of private character.

It has often happened that, in a public agitation there has been some crucial idea in the public mind that has been gathering an overwhelming silent momentum, and yet been unspoken, until at last, at a timely and inspired hour, it has been happily expressed, and carried a mighty force due to the fact that it incarnated the popular thought. And if, as in this instance, the utterance, so seasonable and suggestive, comes with the entrancing accompaniments of poetic diction, lofty spirit and glowing eloquence, and with the highest prestige of character in the speaker, it more than bears the impression and wields the spell of resistless inspiration. The people were inflamed. The State was on fire with fierce passion. The mad battle of slander, pursued with reckless audacity and resisted with desperate resentment, had set the public blood throbbing in feverish pulsations. Every fair-minded man in the State was in a growing rebellion against the horrible drift of the campaign. At this opportune moment it was that this gifted Georgian, Gen. Jackson, the very instrument for such a mission, born an orator, unstudied in political policy, careless of results in the search of the right, and a rare type of knightly sentiment, made one spontaneous, fervent, noble protest against personal defamation for political purposes, arguing Gov. Colquitt's cause with an unanswerable logic, and formulating an appeal of resistless power.

Public sentiment had been grossly outraged by a secret campaign pamphlet, entitled the "CONVICT CATECHISM," meant to put the negro vote against Gov. Colquitt, appealing to the worst prejudices of the blacks, dealing in the vilest falsehoods, and doing great injury to our State abroad in furnishing material for aspersing the very civilization of the Commonwealth. The direct charge of personal dishonesty against the Governor, circumstantially given by a responsible gentleman, and withdrawn in twenty-four hours upon the presentation of facts, easily in his access, fired the State, and brought the campaign of calumny to an explosive focus. The time and the people were both ripe for Gen. Jackson's transcendent and potential effort—his single, unsurpassable conclusive speech. The following extract from that address will afford some conception of its style and influence:

"I ask every true-hearted man who listens to my voice, whether, if he had been one of that majority, and if he had believed in the innocence of his candidate, or even had simply believed that the charges against him were yet to be proved—whether he could

have obtained his own consent to surrender that candidate to such a fate? [Cheers.] I am aware that it is not wise to indulge in strong words, and yet I cannot restrain myself from saying that the delegates who declared upon the floor that rather than do it they would "rot in their seats," commanded my cordial sympathy. [Cheers.] It has been contended by gentlemen, who possess my highest esteem, that Governor Colquitt's supporters, having themselves adopted the two-thirds rule for the control of the convention, and he having failed to obtain a two-thirds vote, the majority could not honorably recommend him for election, and Gov. Colquitt could not honorably present himself as a candidate to the people. This is a conclusion which I cannot accept. [Applause.] My whole nature rises up in resistance to it. If I be allowed to refer to myself, I have no hesitancy in saying that, were my name placed before such a convention, and were I to lose the nomination, not simply by failing to secure a two-thirds vote in my favor, but by a two-thirds vote against me, and were I to be satisfied that this result had been reached through the belief of charges involving my integrity or my personal honor, made falsely against me, I would unfurl my flag of resistance, though it might seem to others the frailest of rags. [Cheers.] I would write my declaration of war, though the words might be traced on the sands of the seashore. [Cheers.] I would challenge the jurisdiction of any nominating political convention to pronounce condemnation upon me unheard; I would, indeed, appeal to my own people for a hearing; would call forth each of my peers to listen to my words, and to look an honest man in the eye; and if after all, their verdict should be rendered against me, while the hair would grow whiter on my head and the wrinkles grow deeper in my brow, and the very earth upon the verge of my grave crumble and falter beneath my feet, I would at least sink into its embrace, proudly conscious of carrying with me a heart which had not been untrue to itself, which had not tamely yielded to the despotism of a lie. [Greet cheering.] A man's country may call upon him for the sacrifice of his time, his limb, his life; but for the sacrifice of his honor—never! never! never! [Cheers] That is something between himself, his conscience, his prosperity, and his God. Let us beware that, in the excitement of temporary conflict, we do not trample upon heaven-born principles which must outlive the stars!

"The conclusion cannot be questioned that the minority of the convention, by their action during its session, and by placing a candidate in nomination after its adjournment, practically resolved themselves into the grand inquest of a criminal court, with the prosecutor and the State's counsel enrolled among their number, and proceeded to prefer an indictment before the people of Georgia. [Applause.] They have thus made of every voter a petit juror to try the issue of guilt or innocence. I have not failed to pursue the argument of the case, in some instances falling from the most eminent lips, and yet wholly ineffective to control my convictions. I have seen that charges, involving absolute personal infamy, have been solemnly, and yet most remarkably made. The honorable withdrawal of such may indeed rectify the personal; I do not think it can wholly rectify the public mischief. Despicable appliances have been resorted to, which, as it seems to me, cannot fail to tarnish the character of our State abroad. No author can be found to father them; but unquestionably, the parties who engendered the conflict, are practically responsible for their appearance. [Applause.] Under these circumstances, the fact that I was myself at one time opposed to Gov. Colquitt; that I, too, have made complaints of him, never in public, but among my friends, has made me feel the more restless, and the more anxious to repair any mischief which might possibly result from a word of mine. [Applause.] Before the wrongs which, in my judgment, have been inflicted upon him, anything of which I may have complained, has been

constrained 'to pale its ineffectual fire.' [Applause.] And now, as the canvass draws to a close, so far as I am capable of forming a correct judgment, the calm, exhaustive letter which he wrote at the beginning, remains unanswered, and in all essentials is a good defense. Therefore have I raised my voice here in his support, and will hereafter, cordially give him my vote." [Great cheering.]

The effect of this speech on those who heard it was indescribable. Cheer upon cheer followed in deafening succession. It was copied all over the State, and thousands sent out by mail. It struck a universal feeling, and met with an endorsing response everywhere.

One of the main issues of the campaign was the Brown appointment, and, in consequence, Gov. Brown flung himself into the struggle with his whole strong energy. But this issue was curiously complicated. Col. Norwood ignored it entirely, though Gen. Lawton, who was running for the United States Senate, upon a magnificent presentation of his name by the people of Chatham county, for that august office, took bold ground against Gov. Colquitt, in conflict with the usual considerations of prudential policy that govern candidates. Gen. Wofford, who was supporting Norwood, favored Brown for the Senate. Gen. Toombs took no stock in the slanders upon Colquitt, but opposed the Brown appointment. It was right amusing when Gen. Wofford was booked for a speech at Columbus, where Gov. Brown had many opponents, that he should have been alarmed away by the threatened development of his support of Brown.

The gubernatorial and senatorial issues ran along together. Gov. Colquitt warmly championed his appointment of Brown, meeting that issue handsomely, and planting himself squarely upon its propriety. Gen. Lawton and Gov. Brown were worthy foemen, but the contest was not equal. Gen. Lawton stood at that terrible disadvantage resulting when a strong man is shorn of his strength. He was handicapped by Norwood's cause, and carried a double burden. He had many friends among Gov. Colquitt's supporters, yet his course drove them from his cause with a few exceptions, notably the powerful *Chronicle and Constitutionalist* of Augusta. Gov. Brown had his own massive backing, and he had Gov. Colquitt's too, almost unbroken, since the defeat of Brown was the condemnation of Colquitt on a question involving alike official honor and personal integrity. It was a striking feature of this whole campaign that nearly every issue was foolishly freighted by the minority with some uncompromisable question of sacred character, to have yielded which would have been an unforgivable and crushing dishonor in Gov. Colquitt, and desertion in his friends.

And this very overmastering subject of conflict of Gov. Brown's appointment as United States Senator carried with it the vital repute of Colquitt, Brown and Gordon. The opposition made a controlling matter of a simple act, practically unimportant, properly regarded.

The mere filling of a three weeks' vacancy in as high an office as United States Senator was a trivial occurrence. When it was construed to involve betrayal of Senatorial trust in Gordon, barter of Gubernatorial integrity in Colquitt, and the base purchase of distinction by Brown, it became magnified into overwhelming import, it comprehended the transcendent idea of the purity of public service, and it engendered inevitably a conflict of personal disgrace and political extermination. And the intensity and desperation of the struggle were proportioned to the magnitude of the cause. Gov. Brown has never been a mediocre political fighter. He gave to this supreme contest his best effort of brain, experience and energy. He rallied his vast legion of personal and political friends to Gov. Colquitt's support. He devoted every resource of his extraordinary management to this conflict.

Effective work was done in all parts of the State by enthusiastic coadjutors for the Colquitt cause. A series of unusually trenchant and argumentative articles upon the issues appeared in the Macon *Telegraph* and *Messenger*, over the signature of "No-Axe." Their author was Walter B. Hill, Esq., one of the foremost young lawyers in the State. Among those who did a large work in their localities were; Dr. W. H. Pilcher of Warren, H. W Hopkins of Thomas, E. F. Lawson and Jenks Jones of Burke, Judge E. R. Harden of Brooks, Judge T. G. Holt and Charles Bartlett of Bibb, Phillip M. Russell and Gen. George P Harrison of Chatham, G. E. Thomas and H. Bussey of Columbus, A. D. Abrahams of Lagrange, A. L. Hawes of Baker, G. W Mabry of Glynn, Judge W D. Nottingham of Houston, Col. J. W Preston of Jasper, Col. M. C. Fulton of McDuffie, Col. H. R. Harris of Merriwether, Col. L. F. Livingston of Newton, C. M. Bozeman, Gen. O. C. Horne and George T. Jordon of Pulaski, B. F. Adams of Putnam, Judge W F Eve of Richmond, B. D. Evans and T. J. Smith of Washington, Col. W. A. Harris of Worth, Dr. H. R. Casey of Columbia, R. L. Barry, and a host of others. Dr. Casey has been a prominent figure in State politics, and stands among the first citizens of Georgia.

The day of election came, and the result was such an overwhelming victory for Gov. Colquitt, and crushing defeat for the minority candidate as to excite a wonder that so small an opposition had been able to make such a deceiving show of strength, as indicated by the noise.

The whole vote was, 182,353. Gov. Colquitt received of these, 118,349, and Col. Norwood, 64,004. Gov. Colquitt's astounding majority was 54,345. The import of this triumph may be estimated by comparison. In the large Northern States, where there are from a half to three-quarters of a million of voters, majorities run to a few thousand only in heated contests, and a 40,000 majority is something exceptional. The people spoke in no uncertain voice, and with an overmastering emphasis. And the condemnation of personal slander as a political weapon was befitting our great State. Hon. Clifford Anderson was elected Attorney General, Hon. N. C. Barnett, re-elected Secretary of State, Hon. Wm. A. Wright elected Comptroller General, and Hon. Daniel N. Speer, Treasurer.

The State House offices were in the main most admirably filled, and well organized. The Executive Department proper had the original staff of the Governor nearly entire. Major J. W Warren and Col. I. W Avery, were and are the Executive Secretaries, Col. John B. Baird, the Adjutant General, Mr. R. A. Murphy the Warrant Clerk, and Col. T. C. Howard in charge of the minutes. Col. Baird has taken a zealous interest in the organization of the Military department, whose present status is largely due to his labors. Mr. Murphy is a tall, dark-bearded gentleman, of uniform suavity of manner, and a most pleasant associate. The Comptroller's assistants are Robert A. Hardeman, one of the most accomplished book-keepers and rapid and tasty penmen of the State, a brother of Col. Thomas Hardeman, and a marvel of figures, memory and correctness, Dr. William King and Mr. Will Haralson. Mr. Speer, the Treasurer, is aided by his brother, W J. Speer, and both are close business gentlemen. The State Librarian is Mr. Frank L. Haralson, a handsome and bright young lawyer, talented and aspiring, and with the promise of both legal and political distinction before him. Capt. John W Nelms, the Principal keeper of the Penitentiary, a faithful official, and a true man, has his half brother, Mr. Turner, doing his clerical work. Prof. Gustavus J. Orr, State School Commissioner, has for his assistant, Col. Mark Johnston, one of the most pleasant and efficient of the State House attachés. The staff of Col. John T. Henderson is a strong one, composed of Mr. J. R. Redding, Mr. J. S. Newman, Wm. H. Howell and W B. Henderson, all attentive and skilled in their duties. Col. N. C. Barnett has had with him for years a gallant officer of the Confederacy, Col. J. F. Jones, who well suits his venerable and irreproachable chief.

The Legislature elected, which convened on the 3d of November, 1880,

gave an overwhelming endorsement of the appointment of Gov. Brown as United States Senator by Gov. Colquitt, by electing him to the august responsibility over his worthy and distinguished competitor, Gen. A. R. Lawton, by a vote of 146 for Brown to 64 for Lawton, or 82 majority in 210 votes. Both Gov Brown and Gen. Lawton gave public utterance to their views. It was a right suggestive contest in its philosophical aspects, and it was an even, fair battle, honorably fought and unobjectionably won. The issues were clearly presented by these illustrious intellectual foemen. The night before the election, Gov. Brown made a speech in De Gives Opera House in Atlanta, in which he made an explicit declaration of his opinions. He reviewed the course of the Democratic party, and his own position, on the reconstruction measures, and the fourteen and fifteen constitutional amendments; and showed conclusively, that his present position on those questions was identical with that occupied by him in 1868; and that he now stood upon the precise platform occupied at present by the Democratic party on those questions. He took position in favor of a faithful and just execution of the constitutional amendments in letter and spirit. He was for a free ballot and a fair count. Laying aside obsolete issues, he favored a broad progressive statesmanship, embracing in its benefits every section of the Union. "The world moves," said he, "and we must move with it." It was one of the ablest and most remarkable speeches of the age—a bold, advanced, progressive enunciation of public sentiment. An anonymous writer, "John Temple," in the *Sunday Banner*, gave a sketch of the scene that is well worthy of preservation as a clever piece of word-painting.

"I sat in the Opera House the other night and watched a scene of unusual interest.

"A crowded house—the beauty and the chivalry of Georgia's capital fairly glittering in the blaze of gas-light: an eager, brilliant throng, throbbing in sympathy with the occasion, or thrilling with the pain of unavailing regret. * * * The stirring strains of music from a band of Union soldiers, a brief demonstration as the prominent figures in the General Assembly filed in and took seats upon the stage, and then a pause, a hush, and a burst of passionate applause as a gray-bearded and attenuated man walked awkwardly in.

"The members of the Assembly arose and bowed profoundly.

"The gray beard bowed ungracefully in return.

"Its wearer sunk into a sofa, and, while the band played a stirring lyric, we had time to scan him well.

"Nothing in the man's appearance or manner suggested the idea of a more than ordinary occasion.

"Not a line of the calm, meek face betrayed emotion; not a quiver of the thin lips, not a flash of the gray eye, or a nervous movement of the frame; and yet that gray-

bearded figure, sitting there so quietly under the glare of the footlights, faced the eve of a consummated and realized ambition for which he had watched and waited, toiled, planned and hoped for a weary life-time.

"It was a singular face—not a line or a curve that suggested birth or blood; not a touch of the aristocrat had been born of the twenty years of affluence that had rolled over him; a calm face, with a wonderful depth of quiet patience and tranquil determination in its placid outlines—the face of a man who would have smiled calmly at the stake, not from warrior pride or fortitude, but because the equable pulse of his disciplined and philosophical temperament accepted the inevitable.

"And now he sat, facing a to-morrow that would bring, with a certainty which he had calculated to a mathematical nicety, the realization of his life-dream.

"It had come at last.

"From the plow handles to the helm of State, from Gaddistown to the National Capitol, and from handling the rope that 'gee'd' or 'haw'd' the famous 'bull' to handling the reins that veered the Government.

"He rose to speak. His first sentence, awkward like himself, spoken in the vernacular of the masses, proclaimed himself of the people—a commoner indeed. But there was a homely strength in what he said, a practical vein of thought, a well-defined and evident purpose in his life, a sort of utilitarianism breathing in his policies that commended him to an impoverished people, and, withal, a telling force in his ideas, that justified, perhaps, his elevation to the high position which he fronted. * * *

"Up above him, in the gallery, with arms folded proudly and gracefully, showing just one aristocratic hand in whose blue veins the rich blood coursed calmly in the tranquil flow of his high-bred composure, sat another figure.

"There was the air of the soldier about this man. His erect carriage, his easy and yet faultless dignity of dress and manner, the perfect grace of movement, the firm mouth and the strong lines of the handsome face, with the flashing eye, all proclaimed the old blooded Southerner, fine-fibered and high-mettled as an Arab steed.

"He had the magnetism and dash of a born leader. * * *

"The man in the gallery was the rival of the man on the stage. The prize to be awarded on the morrow was sought by both, but the winner was already known.

"The patrician in the gallery, throned in the hearts of Georgia's chivalry, had reached out his white hands, and pointing to his bright record and his stainless character, had asked this splendid gift of the State. And she said to him, 'Nay!' with a pang at her heart.

"The plebeian on the stage, deified in the reason of the people, had pointed his thin, patient fingers to the pregnant future, which his 'judgment' alone could utilize to their advantage, and said, 'I am one of you. Give me this!'

"And with utter faith they gave it to him.

"The people loved Lawton's purity and his shining character.

"They trusted Brown's sagacity and his wonderful management.

"There the two men sat, in the struggle for the best honor in the gift of the State. And I could not help thinking of the forces and ideas that were at stake in the contest between them. It was the last close struggle for supremacy between the spirit that ruled the old South and the spirit of the new South. The old South was a South of traditions, of sentiments, chivalric memories, of heroic impulses. The new South is a South of conservative tendencies, of practical ambitions, of democratic ideas."

The scene was certainly an impressive one, and the result it prefaced was invested with a vivid and philosophical interest. It is a pretty idea that contending forces of variant systems of civilization were involved. Perhaps they were to some extent. But there could be no better representatives of the best of the Old and New South, than either Gov. Brown or Gen. Lawton, while Gov Colquitt and Gen. Gordon stood as striking types of the most cherished sentiments and practices of our ante-war civilization. The result had a two-fold significance. It was, to a considerable extent, personal in noting the restoration of public confidence to Gov. Brown as well as harvesting the fruits of the recent victory. And it demonstrated the determination of an honorable but practical people to conform to the new order of things to the fullest extent necessary for the public welfare.

The election of Joseph E. Brown to the United States Senate by a Legislature so representatively Democratic, over a competitor so formidable, and who would have received the cordial support of the body under other circumstances; and after so full, free and searching a test of the issue on its merits, was as fair a triumph as has ever been won in the State. And it was a victory for both Gov. Colquitt and ex-Gov. Brown. The element of Gov. Brown's pre-eminent capacity for the great trust entered largely into this battle, and his career as a Senator in the session of Congress of 1880 and 1881 crowningly verified the anticipation of his usefulness. He had in the three brief weeks of his appointment in 1880 placed himself immediately among the foremost factors of the august body he entered. In the first lengthy session of his elective term he continued conspicuously and prominently his strong and valuable service. He made a number of speeches that seized the attention of the Senate and people. He steadily grew in influence and prestige. He became a recognized party leader. He made a strong speech upon the important subject of establishing an educational fund. His interest in the cause of free and liberal education has been earnest and unceasing. Perhaps the most effective speech that he made was on the "Peculiar Coincidence" in the determination of Senator Mahone of Virginia to support the Republican party in effecting an organization of the United States Senate.

That memorable contest is recent in memory. Senator Mahone, a Democrat, gave the Republicans a majority by his vote, and his friends Gorham and Riddleberger were nominated for Secretary and Sergeant at Arms by the Republican caucus. The contest between the Democrats and Republicans over the organization of the Senate continued

for weeks. The Democrats refused to go into the election of these officers after the committees had been organized. The Republicans refused to go into Executive session to transact the business requiring attention. Many of the Democrats were for yielding. It was Senator Brown who held them to the policy of resistance, a policy that finally succeeded and that gave new strength and courage to the somewhat demoralized Democratic party.

Senator Hill first uncovered the position of Senator Mahone, and Gov. Brown demonstrated the matter, and was fiercely assailed by Mahone, to whom he made a crushing reply. The matter illustrated that peculiar quality of successful leadership for which Gov. Brown has been so remarkable in his long and varied life. Senator Lamar said of him that "the ease, dignity and power with which he established himself as one of the leaders of the Senate was simply marvelous." Mr. Hill, his colleague, could not find words to express his estimate of Gov. Brown's "discretion, sagacity and inflexible patriotic sentiments." Senator Conkling said that he "looked to see Senator Brown one of the most notable men in the country." Senator McDonald of Indiana uttered this strong encomium:

"He is one of the most valuable additions made to the Democratic force in the senate for years. More than that, he is a senator whose influence will be felt all over the country. He seemed to recognize instantly upon coming into the senate that it was not a debating society, but strictly a practical business body. He therefore became at once a sensible, straightforward, sagacious worker, and won the confidence and esteem of both sides of the chamber. He can be a power for good in the practical questions that must be settled now that sentimental issues have died out."

These strong opinions from the highest sources will show how Senator Brown impressed himself upon the strong brains of the Senate. His political stature to-day cannot be estimated. He is in the very ripest maturity of his potential faculties, and has the largest possible arena for their exercise, a domain of distinction and usefulness commensurate to any man's abilities. He is fortified by his religious antecedents and connections, and his christian liberality is an undying monument to the man. Mr. J. P. Harrison in his book of Baptist celebrities just published, thus speaks of his charities.

"Through life he has been a most liberal giver; yet his charities have been so unostentatious that few if any are aware of their extent. Some of his donations have necessarily been public, and a few of them it may be well to mention.

"He contributed $800 to the building of the Sixth Baptist Church of Atlanta; $1,000 to the Georgia Baptist Orphans' Home; $1,000 to Mercer University; $500 to the Southern Baptist Convention; $500 for an organ for the Second Baptist church of At-

lanta; $3,000 for repairs and additions to the same church; $500 (some years ago) to the Southern Baptist Theological Seminary, and recently (1880) $50,000 to the same institution; and last year he contributed $800 towards the payment of his pastor's salary. His smaller charities, from one hundred dollars, and downward, have been simply innumerable."

He holds a large variety of heavy trusts: President of the Western Atlantic Railroad Company, President of the Dade Coal Company, working 350 hands, President of the Walker Iron and Coal Company, working over 300 hands, and making 75 tons of iron per day, President of the Southern Railway and Steamship Association, including the transportation companies interested in Southern traffic, President of the Board of Education of Atlanta, etc. These large responsibilities practically testify to the versatile genius of this masterful character, and give augury, that in the near future we may expect alike in great business enterprises, and august political achievement that Senator Brown will enlarge his own fame and give luster to our State.

The Congressional election resulted in a fine corps of Representatives, viz.: George R. Black, Henry G. Turner, Philip Cook, Hugh Buchanan, N. J. Hammond, James H. Blount, Judson C. Clements, Alexander H. Stephens, Emory Speer. These gentlemen have been alluded to in this work. Col. Black has been identified for years in high place with the State Agricultural Society, and is a handsome, talented person, a fine specimen of our Southern gentlemen. Col. N. J. Hammond has been a member of the Constitutional Conventions of 1865 and 1877, and Attorney General of the State, under Gov. Smith's administration, and is now serving his second term in Congress. He is one of the best equipped men we have in public life, with uncommon powers of intellect, information and eloquence. Somewhat of a cold and exclusive individual, with little popular warmth, he has, by sheer force of intellectual power and available public capacity, clutched high trust. He is a marked character, strong and brilliant, and his future is one of large promise.

The Legislature of 1880 and 1881, elected Col. James S. Boynton President of the Senate, and Hon. A. O. Bacon, Speaker of the House. Col. Boynton is a tall, stately, dignified gentleman of sterling ability, the very highest possible character, and of most agreeable manners. He has made an admirable presiding officer, and both he and Mr. Bacon are prominently spoken of for Governor. Among the more experienced members, who have been mentioned before, we find in the Senate, A. C. Westbrook, R. L. McWhorter, Wm. B. Butt, H. D. McDaniel, W P

Price, J. M. Wilson, S. M. H. Byrd, B. C. Duggar, R. T. Fouche and A. T. Hackett. In the House of the better-known legislators were: P. Barrow, W S. Basinger, J. B. Estes, L. F. Garrard, A. H. Gray, W M. Hammond, A. L. Miller, N. L. Hutchins, T. W Milner, W J. Northern, E. A. Perkins, J. H. Polhill, W R. Rankin, M. P. Reese, H. M. Sapp, J. L. Singleton, J. M. Smith, H. D. D. Twiggs, P. B. Whittle, W M. Willingham, C. T. Zachry.

Mr. Pope Barrow has been a most useful member with an unusual capacity for legislative work, and a happy vigor and courtesy in discussion. Col. W S. Basinger is one of the most original and intellectual members, a gentleman of thought, conviction and culture. Judge H. D. D. Twiggs has taken a high prominence, a fluent, ornate and eloquent speaker. He had graced the Bench, and he was equally and conspicuously at home in the legislative halls. The other gentlemen have been sketched in this volume. This legislative body has been unusually rich, in bright young men, just entering public life.

Hon. P W Meldrim, in the Senate, has made a brilliant reputation. Representing the critical constituency of the 1st District, including Savannah, a handsome, thorough-bred looking gentleman, with a peculiarly silvery elocution, he has at once become a legislative leader. Dr. R. B. Harris, E. P. S. Denmark, A. L. Hawes, James G. Parks, Du Pont Guerry, S. G. Jordan, John S. Reid, W J. Winn, B. F. Payne, are new men. These are all promising young Senators. Among the young Representatives are F G. Du Bignon, a classic young gentleman, making gems of exquisite speeches, and carrying important measures affecting his constituents with a wonderful success; J. C. Branson, Reese Crawford, son of Martin J. Crawford, W C. Carter, J. M. Dupree, E. F Du Pree, F. C. Foster, Henry Hillyer, J. J. Hunt; Davenport Jackson, son of Gen. Henry R. Jackson; H. C. Jones, J. J. Kimsey; Lucius M. Lamar, Colonel of the famous 8th Georgia Regiment, in the war, and ripe now for congressional honors; T. W Lamb, Edwin Martin, J. H. Martin; S. W Mays, of Richmond, a brilliant young lawyer; W H. Patterson, W A. Post, W W Price, F P Rice, H. C. Roney, L. L. Stanford, Dr. C. M. Summerlin, J. L. Sweat, W B. Wingfield, W C. Winslow; Seaborn Wright, a rare young orator, gifted by inheritance with eloquence from his silver-tongued father, Judge Aug. R. Wright. Mr. J. T. Youngblood and U. B. Wilkinson must not be omitted from the valuable new members, though not young men.

The work of this body has not been very valuable, while it has illustrated the impolicy of biennial sessions and the impracticability of the

laws on local legislation. This legislature has been singularly illiberal in many respects, and yet it has expended nearly a quarter million of dollars beyond the State expenses. It refused to begin the construction of a much-needed new capitol; it declined to even make a bid upon some valuable colonial records of the State, on sale in England; it killed a general temperance law; it left the railroad commission law practically unchanged; it voted $165,000 to enlarge the lunatic asylum; it authorized the expenditure of $18,000 for a new revision of the code made by Geo. N. Lester, W. B. Hill, and it has improved the convict laws without any radical changes.

It elected as Judges of the Superior Court the following gentlemen: William O. Fleming, George Hillyer, James R. Brown, James T. Willis, J. C. Fain, F M. Longley, S. W. Harris, William B. Fleming, John D. Stewart, R. W Carswell, E. H. Pottle and C. F Crisp. A new judicial circuit has been created, the North Eastern, and Hon. C. J. Wellborn elected the Judge. During Gov. Colquitt's administration the following Aids were appointed on his staff: Col. B. B. Ferrill, of Savannah, a pleasant and public-spirited young gentleman, of one of the old families of that city, and Col. W D. Mann of Albany; and recently Lt. Col. J. H. Estill, the proprietor of the Savannah *News*, one of the first citizens of Georgia, Lt. Col. L. C. Jones, of Atlanta, and Lt. Col. T. W H. Harris, of Rome. Of Col. John B. Baird, who, under the new law, was appointed by the Governor Adjutant General of the State, with the rank of Colonel, the convention of military officers that met in July, 1880, in Rome, passed the following complimentary resolution in appreciation of his services in this department, the resolution being offered by Lt. Col. Magruder:

"*Whereas*, Col. John B. Baird accepted appointment as Adjutant General of Georgia, and has zealously and laboriously discharged the duties of that office without compensation—

"*Resolved*, That in behalf of the Georgia Volunteers we do hereby express our high appreciation of the valuable and gratuitous services thus rendered, and we commend him as a faithful and efficient officer."

CHAPTER LI.

THE JOURNALISM AND LITERATURE OF GEORGIA.

A fine Endowment of Press Writers.—The Daily Journals.—A Strong Array of Papers.—Gifted Editors.—Newspapers running back to the Revolution nearly.—The Weekly Journals.—The Religious Press.—The Literary Periodicals.—A Heavy Corps of News and Political Weeklies, Original, Independent and Progressive.—A Galaxy of Bright Thinkers and Writers—A Steady Growth of a Vigorous Journalism.—Model Editors.—Georgia's Picturesque Literature.—The very Home of the Nation's Humor.—An Unequaled Quintette of Humorists of wide Repute.—Our Historians and Biographers.—Men known to the World.—A Glittering Endowment of Poets of National Fame.—Our Novelists and Miscellaneous Writers.

TAKE them all in all, Georgia has as bright, independent and gifted journalists, and as newsy and vigorous a batch of papers as any State in the Union. Our press typify admirably the sturdy and self-asserting character of our people, and blend a sparkling vivacity with resolute conviction and an admitted ability It is a matter of undeniable fact that there have been in the past, and are to-day, more notable and brilliant men that have illustrated and adorned our journalism than any State North, East, West or South. There is now a larger endowment of superior press writers connected with the papers of this commonwealth than any other can show. We have men that can be pitted against any workers on the continent, witty, tasteful, scholarly, discriminating, masterful spirits of the pen—whose labor finds a ready market in the metropolitan papers of largest circulation, and the most critical magazines of the times.

Our ablest statesmen, orators, jurists and business men have been many of them connected with our State press. Some of the most powerful names among our people have vivified and given it honor,—among them Alex. H. Stephens, Gen. A. R. Wright, Judge Cincinnatus Peeples, ex-Gov. H. V Johnson, Gen. Mirabeau B. Lamar, Col. James Gardner, Gen. Henry R. Jackson, H. W Hilliard, Samuel Barnett, P. W Alexander, Gen. Wm. M. Browne, Dr. H. V M. Miller, Albert R. Lamar, and others. At the present time, as has been stated, we have a superb array of known and gifted writers, whose utterances are quoted over the whole country, and make Georgia a marked State in its able and progressive journalism.

Of the daily press of the State, we can point to Walsh and Randall of the Augusta *Chronicle*, Moore of the Augusta *News*, Howell, Finch, Grady and Harris of the Atlanta *Constitution*, Clisby and Reese of the Macon *Telegraph*, Thompson and Richardson of the Savannah *News*, King of the Columbus *Enquirer-Sun*, and De Wolf of the Columbus *Times*, while H. H. Jones, J. H. Martin and S. W Small ("Old Si.") still browsing in daily newspaperdom, though not editing, are still recognized powers of the press. Dr. H. H. Tucker of the *Index*, Rev. Attieus G. Haygood of the *Advocate*, and Mrs. Mary E. Bryan of the *Sunny South*, are among our recognized paper celebrities.

The daily press of Georgia is able, enterprising, independent and financially strong. It has a high reputation abroad. Several of them are among the oldest journals in the country, running back almost to the Revolution, and enjoying the distinction of having been established and edited by very illustrious men. The oldest living paper is the Augusta *Chronicle and Constitutionalist*, representing two old journals, the *Chronicle* having been founded in 1785, and the *Constitutionalist* in 1799. A history of this powerful consolidation of venerable papers would pretty nearly furnish the chronicles of Georgia for three-quarters of a century. Mr. William Smythe was not the editor of the *Chronicle and Sentinel* in 1858, as stated in page 79 of this volume, but James M. Jones was chief editor then. In 1846–47, James M. Smythe, father of Wm. W Smythe, was assistant editor. The controversies in 1850 between the *Chronicle and Sentinel* and Wm. W Smythe, resulted in a duel between Tom Thomas and Smythe, in which the latter, at the third fire was shot in both thighs. In 1859, Mr. Jones employed Mr. V M. Barnes to aid in editing the *Chronicle*, which he did with vigor and ability, and in 1860 and 1861, Mr. Barnes was chief editor. In 1863, Mr. Barnes edited the *Constitutionalist*, and was a member of the Constitutional convention of 1865. The *Constitutionalist*, under James Gardner, from 1850 to 1860, was the most potential political paper we have ever had in Georgia, and Gardner would have been Governor on the strength of his editorial power but for an early indiscretion. The two Wrights, father and son, Ambrose R., better known as "Ranse," and Gregg, were two brilliant writers. The younger, H. G. Wright, was a witty and felicitous paragrapher, capable of heavy work, and yet with a singularly happy fund of keen, hearty humor. Its present management is exceedingly able and bright. Patrick Walsh, James R. Randall, and a sprightly young writer, Pleasant Stovall, conduct it. Walsh has fine chances to realize Gardner's

H. G. WRIGHT.

JAS. R. RANDALL.

JAMES GARDNER.

AUGUSTA "CHRONICLE."

GEN. AMBROSE R. WRIGHT.

HENRY C. MOORE.

HON. PATRICK WALSH.

AND "CONSTITUTIONALIST."

baffled hope of filling the Executive chair of Georgia, and giving to his paper the glittering distinction it so closely escaped a quarter of a century ago, of furnishing the State a Chief Magistrate. Randall is perhaps the most scholarly and versatile writer we have on the Georgia press.

The next paper in seniority is the Columbus *Enquirer-Sun*, which was established as the *Enquirer* in 1828, by Mirabeau B. Lamar, who afterwards became so famous as the first President of the Republic of Texas. Gen. Lamar ran the paper until 1830, when he was succeeded by Hon. Henry W Hilliard, recent United States minister to Brazil, who edited it for a year. Gen. Lamar resumed control, in 1834, for a while. S. M. Flournoy was editor, through various changes of proprietorship, from 1834 to 1857, when he died. Mr. Thomas Ragland was sole and senior proprietor from 1843 to 1873. Mr. Flournoy was a vigorous writer and ardent whig. John H. Martin was editor from 1858 to 1876, of whom we have spoken elsewhere. The sons of Mr. Ragland, in 1874, sold the paper to Mr. A. R. Calhoun of Philadelphia, who ran it until 1876. Mr. Calhoun made things lively. He cut about at men and measures in a manner somewhat unusual to our quiet newspaper experiences, and kept in an incessant turmoil of editorial and personal conflict. In 1875 he bought out the *Sun*, and adopted the present name of the "*Enquirer-Sun*." Major W L. Salisbury bought out Mr. Calhoun, and conducted the paper, with Mr. J. G. De Votie as editor. Major Salisbury was assassinated in 1878. Mr. John King, the present proprietor, bought the paper soon after. Mr. De Votie continued as editor until his death, in April, 1881, when Mr. King assumed editorial as well as business management. The paper is a model of typographical beauty, and one of the progressive journals of the South. It was made a daily in 1858. Under the enterprising and able management of Mr. King, it wields a powerful influence.

The Athens *Banner*, made a daily in 1879, by Dr. H. H. Carlton, and now owned and edited by that very high type of our best Georgia journalism, J. T. Waterman, runs back to 1816. Athens took early to the press. The first paper was brought in a wagon from Philadelphia, by Rev. John Hodge, a Presbyterian minister. It lived but a short time. A little sheet was published by Samuel Wright Minor, who was the first editor that hoisted the name of Gen. Jackson for President. Jackson remembered him by making him printer of the laws of the United States, though Minor had removed to Fayetteville, Fayette Co., Georgia. The Southern *Banner* was published and edited by

Albion Chase and Alfred Nesbit, and was the only Democratic paper in that part of the State. Alfred Nesbit went to Milledgeville and took charge of a paper started by John A. Cuthbert, afterwards United States Senator from Georgia. Col. Hopkins Holsey, Mr. James Sledge, Mr. S. A. Atkinson, Messrs. T. W and T. L. Gantt, Dr. H. H. Carlton and Messrs. Chapman and Ingraham, in succession, owned the *Banner*. Mr. Waterman bought it in September, 1880. Mr. Waterman is one of the really independent and original members of the Georgia press. He is a trenchant and a cultured writer, fearless, honest and immovable in his convictions, a keen, witty paragraphist, and with a modesty that runs to shyness in his manners.

The Savannah *News* was established in 1850, on the 15th day of January, by John M. Cooper, publisher, and Wm. T. Thompson, editor. Savannah has had a number of papers that have had an honorable career, the Georgia *Gazette*, founded by James Johnson, in 1763, and suspended in 1799; the Savannah *Republican*, by John F. Everett, in 1802, and running for seventy years, covering twenty-four changes of management and including P W Alexander and J. R. Sneed among its conductors; the Savannah *Georgian*, in 1818, by Dr. John Harney, living to 1859, and numbering those two bright men among its editors, Gen. Henry R. Jackson in 1849, and Albert R. Lamar; the *Evening Journal*, in 1852, by J. B. Cubbege, and *Advertiser* in 1865. The Savannah *News* was started as a cheap business daily, its price being four dollars a year. The paper has had a number of changes of proprietorship, but through them all Col. Thompson has been the editor for the thirty-one years of its varied and influential existence, except from the fall of Savannah in December, 1864, to August, 1865, when Mr. S. W Mason ran the paper as the Savannah *Herald*, a little war affair. Col. Thompson was proprietor from 1855 to 1858. T. Blois and Aaron Wilbur have been among the proprietors. Col. J. H. Estill became proprietor in July, 1867, and under his business management and the capable editorship of Col. Thompson, the *News* has become one of our most powerful representative Southern journals, financially successful, boldly enterprising, independent, dignified, and potentially influential. It is a model of typographical beauty and taste. Col. Estill is destined for large things. No man can tell where he will bring up. He has a cool sense, a clear judgment, and a firm nerve that are the components of a strong individuality. He handles everything well. His executive ability is very marked. Whatever he touches, prospers. He owns a street railroad. He has erected one of the finest buildings in the State for his paper.

He is President and Director of railroads, benevolent societies, press associations, etc., without limit, his energetic and discriminating business ability making him valuable everywhere and in all practical matters. Mr. B. H. Richardson, one of the brightest journalists of the State, is the city editor of the *News*.

The Macon *Telegraph and Messenger* was established in 1826. It has been a notable paper in Georgia annals. The name that has been continuously connected with the *Telegraph*, since in 1848, like Col. Thompson with the Savannah *News*, has been the familiar and honored one of Joseph Clisby, but it has had some very brilliant men associated with him. Among these may be mentioned J. R. Sneed, of the Savannah *Republican;* Captain Henry Flash, one of our genuine Southern poets, the author of that ringing lyric, "Ode to Zollicoffer;" Col. H. H. Jones, one of the truest men and most graphic writers of the Georgia press; A. R. Watson, another poet; A. W Reese, an editor of trenchant writing capacity, one of the hardest political hitters in our State journalism. The *Telegraph* absorbed the *Messenger* some ten years or more ago, a paper established by Simri Rose, published at the time of consolidation by Rev. John W Burke, and edited, among others, by A. W Reese and Gen. Wm. M. Browne. Gen. Browne made fame as a Washington editor; he was on the staff of Mr. Davis during the war, and is now Professor of Agriculture at the State University at Athens. When Mr. Rose started the *Messenger*, Macon was a diminutive village. No man did more to make it a handsome city than he. The beautiful cemetery bears his name. This and the *Messenger* were his pets. He was a bright Mason, too. The *Messenger* absorbed the *Georgia Journal* of Milledgeville. The surviving associates of Mr. Rose are the Hon. J. T. Nisbet of Macon, and that most accomplished writer, Rev. Joshua Knowles of Greensboro, Ga. Mr. Clisby has been spoken of elsewhere in this work. His writing has an Addisonian purity of style. His treatment of subjects is poised and conservative, while underlying and pervading his lucubrations, there is a perennial strata of the most exquisite humor.

The remarkable and unapproached paper of Georgia is the Atlanta *Constitution*. In sparkle, push, versatility, enterprise, genius and success, it has no peer in the South, except the Louisville *Courier-Journal*. Its career has been full of romance, and dramatic in the extreme. Duels and libel suits have been among its varied experiences. It was established the 16th of June, 1868, by Carey W Styles & Co. The company was J. H. Anderson, and W A. Hemphill was the business man-

ager, and has continued in that place to the present, a model of managing capacity, and more responsible for the business success of the paper than all others combined. Col. Styles edited the paper, and a red-hot administration it was, fighting Radicalism without quarter, and with a burning bitterness. Styles & Co. ran the paper four months, when Styles went out, and W A. Hemphill & Co. took the paper, the company being Mr. Anderson, J. W Barrick edited the journal until May, 1869, when Col. I. W Avery took editorial charge. In 1870, Col. E. Y Clarke bought Mr. Anderson's half interest. In 1872, the paper was changed into a stock concern. In 1874 Col. Avery retired from the editorship, buying an interest in the Atlanta *Herald* from Col. R. A. Alston and Henry W Grady. Mr. N. P T. Finch came into the paper in 1872. Col. Clarke was managing editor until 1876, when he sold out to Hon. E. P Howell. The present proprietors are E. P Howell, W A. Hemphill, N. P T. Finch, Henry W Grady and R. A. Hemphill, who kept the books of the concern for four years in its early history, and has recently bought an interest, and become book-keeper again, a strong business addition to its corps.

Capt. Howell decides the political course of the journal, and writes editorials like rifle shots, that snap and go straight to the mark, and bring the blood. Mr. Finch is an editor of universal versatility and an industry that knows no bounds. He reads and culls every one of the hundred exchanges that come to the office, and writes fine leaders upon every conceivable subject. Mr. Grady's flashing and inimitable sketches, editorials and articles give an unremitting sparkle to the paper. On the staff of this journal are two of the best writers of the Georgia press, Mr. J. C. Harris and Mr. F. H. Richardson, and an industrious compiler, Mr. J. T. Lumpkin. Mr. Harris can compass anything in newspaperdom from a strong editorial to a pungent paragraph. Everything he writes is both strong and dainty. His book reviews are scholarly and charming, with a vein of delicious humor and quaint reflection, and often a subtle and aromatic irony most exquisite. His Uncle Remus sketches have made him famous. Mr. Richardson is a scholarly young writer of rare promise. No journal in the Union has a better intellectual and literary equipment than this paper. This is strong praise, but it is every bit merited. His contemporaries on the journal will not consider it a derogation from their high claims to say that Mr. Grady is the genius of this powerful paper. There is a vividness, an audacity and a velvety splendor about his articles that are peculiar to himself, and that no other man has approximated.

H. H. Hemphill

H. W. Grady.

N. P. T. Finch

Evan P. Howell

ATLANTA CONSTITUTION.

The journal had a romantic time during Reconstruction. Its editors and proprietors had five dueling affairs. It then took that root in the affections of the people of the State that gave to it its first growth, and laid the basis for its enduring and remarkable prosperity. During those fiery days of Reconstruction, under the editorial management of Col. I. W Avery, it battled with a steady conservatism, yet an unwearied devotion for the public interest, refusing the patronage of the Bullock administration, and fighting every measure of wrong. Mr. Grady's connection with the *Constitution* began then. He was a student at the University of Virginia, and wrote a boyish letter of gossip for publication. Col. Avery was struck with the uncommon vivacity and grace of the communication, and in accordance with his policy of making superior correspondence a special feature of the paper, he encouraged the boyish writer. When Col. Hulburt, as Superintendent of the State Road, who was a wonderful genius in enterprise, originated the first press excursion to go over the State Road, to have it written up, Col. Avery telegraphed to Mr. Grady, who had left college to return to his home in Athens, to come and represent the *Constitution* on that affair. Grady's letters, under the name of "King Hans," were the best of the hundreds written then, and were copied into the whole State press. This experience turned the bright boy into his native journalism, where his genius finds its legitimate field.

The Augusta *Daily Evening News* has had a flattering success. It was issued November 20, 1877, by Wm. H. Moore, who had been with the writer in conducting the Atlanta *Herald*. Mr. Moore had associated with him Messrs. Gow and Weigle, all practical newspaper men. Mr. Gow had the material, but none of the gentlemen had any capital. The paper paid its way from the start, and has gained a fine circulation and advertising patronage. Mr. Moore is a peculiarly snappy, vigorous writer, with a good stock of shrewd humor and piquant observation. He has, to a remarkable degree, the true journalist's keen instinct for news. His paper is a paragraphic epitome of current events, a trenchant critic upon all things and men, and a very unusually rapid and growing success.

The Columbus *Times* is a fine and influential paper that is the revival of one of the most venerable of our anti-war journals. It was started in its second career six years ago. It is now run by Wynne, DeWolf & Co., and is one of our best journals, conducted in a fair, conservative and enterprising way. The Rome *Courier* started as the *Coosa River Journal* in 1843, by S. Jack, Dr. H. V M. Miller and W Spencer. It

passed through various hands when, in 1849, A. M. Eddleman and S. M. Jack bought it and changed the name to the Rome *Courier*. Joshua Knowles, and Wm. J. Scott, in succession, owned it. In 1855 M. Dwinell and S. Finly bought, and in 1856 Mr. Dwinell became sole proprietor, and has owned the paper ever since and made a fortune out of it by his successful management. Mr. Dwinell was in the war when the paper was managed by B. G. Selvage. The *Courier* was suspended from May 17, 1864, to September 1, 1865. The daily was established February 1, 1881, after twenty-one years' successful publication of the tri-weekly. Since 1857 the *Courier* has absorbed four other papers by purchase and consolidation, the Calhoun *Statesman*, the Cedartown *Patriot*, in 1858, the Chattooga *Advertiser* in 1874, and Rome *Commercial* in 1876. Some of the best writers of our press have edited the *Courier*, notably Mr. Grady, Mr. Willingham and Mr. Harris. Mr. Dwinell has written an excellent book of European travel.

The Atlanta *Daily Post-Appeal* was established October 1, 1878, by Col. E. Y Clarke, who sold it January 12, 1880, to David E. Caldwell, who has since owned and edited it, and has made it a well-established and paying property The *Post-Appeal* may be called the war paper of Georgia. It generally takes the opposition to the majority, and it makes matters lively It slashes right and left and has a large amount of vim and enterprise. It has had on its staff Col. Sawyer, one of the strong men of the Georgia press, and Mr. Wallace Reed, a graceful and well-known Georgia journalist. The Griffin *Daily News* was established in 1871. It was run for years by J. D. Alexander. It is now conducted by C. A. Niles, a capable and independent journalist. It is a staunch little paper, the steadiest, truest, most conservative journalistic craft in the State. The Rome *Bulletin* was started in 1869, and is run by the Mosely family, who write well, and all write, Mrs. Mosely, who has recently died, being a most excellent journalist. The Savannah *Recorder* was established by R. M. Orme in 1878, but is now conducted by other parties.

One of the best and most pronounced little dailies is the Albany *News and Advertiser*, published and edited by Henry M. McIntosh & Co. This was the consolidation of the *News*, established in 1844, and the *Advertiser*, in 1877, the union occurring in September, 1880. Mr. McIntosh is one of the most vigorous and independent editors of the State press. He comes of the famous McIntosh blood.

The weekly press of Georgia has always included an unusual number of clear-headed, out-spoken, independent and well-informed editors.

And it was never in as thriving and influential a condition as it is to-day. The mental activity of the age finds in the weekly newspaper, literary, religious, scientific or political, the vent for that more quiet and philosophical phase of its operations, that deals not so much with the fact of news, like the daily journal, as with its application to life and society. The Georgia weekly papers have some remarkable instances of original and striking individuality, and can probably number as many potential and successful thinkers and workers as the press of any State in the Union.

The religious weekly press of Georgia is very powerful and capable. The two oldest papers are the *Christian Index and Baptist*, founded in 1820, published by James P Harrison, and edited by Dr. Henry H. Tucker. Both are remarkable men. Mr. Harrison is the son of Hon. Geo. W Harrison, Secretary of State under Gov. Town's administration, who was Governor from 1847 to 1851. He is a business man of extraordinary enterprise, practical, ambitious, accurate and successful, and withal a simple-minded, true-hearted, loyal friend and gentleman. Dr. Tucker is one of the large-brained men of Georgia, a profound thinker, crystally candid, and a muscular, logical writer. The *Wesleyan Christian Advocate*, owned and in part edited by the Rev. John W Burke, with Rev. Atticus G. Haygood as chief editor, one of the most eloquent divines and powerful writers of the country, was founded in 1837, and is a fine journal. Mr. Burke, too, is a marked man, like Mr. Harrison, a marvel of energy and business triumph. In Butler, Taylor county, the *Gospel Messenger*, founded in 1878, and edited by Mr. J. R. Respess, is published.

Georgia has a weekly literary journal, the *Sunny South*, established in 1875, by the Seals Brothers, with Mrs. Mary Bryan as editress, that equals any paper in the Union. It has a national circulation, and is a brilliant publication. Another literary and society weekly of peculiar merit, is the Atlanta *Gazette*, founded by Henry W Grady, in 1878, and now owned and edited by Williams & Palmer. The Atlanta *Phonograph* is a weekly literary and political paper, started in 1878, by W H. Christopher, a young man of some uncommon qualities. The *Weekly Post* is a good paper owned by Col. E. Y Clarke.

The oldest news and political weekly is the Milledgeville *Union and Recorder*, now owned by Barnes & Moore. This paper was the combination of the *Southern Recorder* and the *Federal Union* in 1872. The *Recorder* was established in 1819 by Grantland & Camak, who sold to Grieve & Orme. The *Union* was started in 1825, as the *Statesman and Patriot*, and sold to Henry Solomon, and the name changed to

the *Union* in 1830. John G. Polhill was the editor. In 1831 John A. Cuthbert, who has just died in Alabama, and who was a congressman from Georgia, was associated with Mr. Polhill in 1831. Mr. Wilkins Hunt, Park & Rogers, and Armstrong & Campbell, in succession owned the paper. Boughton, Nisbet & Barnes bought it in 1851. Ex-Gov. H. V Johnson edited it once. Mr. J. M. Moore became part proprietor in 1862. Mr. Nisbet retired in 1867. Mr. Boughton died, and Barnes & Moore are the present proprietors. The consolidated journal, the *Union and Recorder*, is one of the honorable land-marks of Georgia history, and has furnished to the writer more valuable political historic material than all other sources combined. It is, to-day, a progressive paper, representative of the State's best civilization and most virtuous and independent public thought.

The *Mountain Signal* at Dahlonega, the center of the famous gold region, was put forth in 1839. It is now owned by Col. W P Price, one of the valuable and most public-spirited men of Georgia.

The next paper in age is the Sandersville *Herald and Georgian*, founded in 1841, and now run by Wm. Park. The Lagrange *Reporter* was started in 1843 by Dr. Bronson, with Col. W B. Jones and Hon. John F. Awtry as printers, and the name then was the Lagrange *Herald*. B. H. Bigham and Col. Jones owned the paper a while. Wm. J. Scott of "Scott's Magazine," edited it for a period. Alexander Speer, a most remarkable man, father of Judge Speer of the Supreme Court, and grandfather of Emory Speer, the congressman, was editor a long time. Thomas J. Bacon, a relative of Speaker A. O. Bacon, conducted this journal. The paper had a stirring administration under C. H. C. Willingham, who was threatened with arrest for his unsparing denunciations of the military reconstruction government. Mr. J. T. Waterman bought the *Reporter* in 1872, and ran it for eight brilliant journalistic years, making it a model in every respect. He sold to Wm. A. Wimbish, who has recently disposed of the paper.

The next weekly paper in point of time was that exquisite specimen of typography and sustained taste and ability, the *North Georgia Citizen*, published and edited at Dalton by J. T. Whitman. It was started in 1847 by Ware & Wyatt, as the *Mountain Eagle*. Its name has been often changed—to *Spirit of the Times*, *North Georgia Times and Citizen*. In 1858, the proprietor and editor was J. Troup Taylor, and not J. R. Christian, as stated in chapter ten, page seventy-nine. In 1859, J. T. Whitman, the present owner, bought the paper. It was partially destroyed by Gen. Sherman's men, and was suspended a

while. It has been Democratic, conservative and ably conducted, and is one of the solid institutions of Dalton. In 1854 Col. C. W Hancock established the *Sumter Republican* in Americus, when the place had three hundred people. It was a Whig paper, but has been Democratic since the war. It was suppressed by Gen. Steadman a month, in 1865. It is a fine journal, and Col. Hancock is a leader of the Georgia press. It has a splendid scope of territory, it has grown steadily in circulation, and its present and only proprietor, if he lives fifty years longer, will leave it a legacy of honor and profit to his descendants. The *Southern Watchman*, at Athens, was also established in 1854. The *Southern Enterprise*, at Thomasville, began its life in 1855, and is now brilliantly run by Mr. C. P. Hansell.

In 1856 the *Monroe Advertiser* was launched at Forsyth. J. P Harrison ran it long. J. C. Harris began his bright journalistic career upon it. It has always been a model of a paper, and Henry H. Cabaniss now keeps it up to its unsurpassable standard. In 1857 the Cartersville *Express* was put forth. In 1858 the Gainesville *Eagle* commenced a strong career, J. E. Redwine long managing it. Its editor is a bright writer, H. W J. Ham. In 1859 the *Early County News*, at Blakely, and the Elberton *Gazette*, at Elberton, were established, both first-class journals.

The Warrenton *Clipper*, so far as we can learn, is the only war-born paper in existence, it having been established in 1863. It has had a stirring time, one of its editors, Mr. Wallace, having been murdered. It is now run by Rev. John A. Shivers, one of the noted men of the State press, a bold, born editor. After the surrender, the Newnan *Herald* came to us first in 1865, and also the *Georgia Enterprise* at Covington. The year 1866 saw an increased activity in the birth of papers. The Marietta *Journal*, Waynesboro *Herald and Expositor*, Dawson *Journal*, Eatonton *Messenger*, Greenesboro *Herald*, Hawkinsville *Dispatch*, Jesup *Sentinel*, Sparta *Times and Planter*, and Washington *Gazette*, all vigorous bantlings, inaugurated healthy, influential journalistic lives. The Marietta *Journal* was issued when the town was in ruins and garrisoned by Federal soldiery. It served a good mission, and gave hope to the county. It fought reconstruction boldly, and was menaced time and again. R. M. Goodman & Co. owned it up to 1875, when Neal & Massey bought, and still run it. It is a first-class journal. The Waynesboro *Herald and Expositor* is under control of R. O. Lovett, and was a consolidation, in 1880, of *Expositor*, started in 1866, and the *Herald* in 1878. The Eatonton *Messenger* has been a

specially valuable and vigorous paper. It was called first the *Press and Messenger*. It has changed hands and names several times. Its publisher and editor is Geo. W. Adams. It is one of the progressive journals of Georgia.

In 1867 the Valdosta *Times* was established. In 1868 the Barnesville *Gazette* was introduced to the public by Lambkin & Pound. Mr. Pound, McMichael & Allen, and lastly J. C. McMichael owned the paper in succession, the last gentleman now being the proprietor. The journal has been twice enlarged, so great has been its prosperity. It is read in six counties, and is a strong publication. The Brunswick *Appeal* was started also in 1868. The year 1869 saw several excellent weeklies given to the public, the Madison *Madisonian*, the Calhoun *Times*, the Fort Valley *Mirror*, the Perry *Home Journal*, the Rome *Bulletin*, and the Talbotton *Register and Standard*. The *Madisonian* was the project of Dr. J. C. C. Blackburn, for thirty years identified with our State journalism. It is ably conducted, Dr. Blackburn being aided by his son, B. M. Blackburn, and especially and wisely devoted to local news. The Talbotton *Standard* was the enterprise of two remarkable young men, John B. Gorman and J. T. Waterman. Mr. Gorman was a gallant soldier, has been a successful business man, and a great walker, traveling on foot over 1,200 miles, and is altogether a genial and original character. The *Standard* was consolidated with the *Register* in 1880, and is now owned by J. B. Gorman and O. D. Gorman, and edited by O. D. Gorman, who is a facile writer, and noted for his enterprise and fearless views. It is one of the model papers of the State, and wields a deservedly great influence in the progressive county in which it is published.

In 1871 the Catoosa *Courier* was published, and has a large circulation, under R. M. Morris. The Hinesville *Gazette* was first issued in 1871, and that sterling journal, the *Gwinnett Herald*, published now by Col. Tyler M. Peeples, at Lawrenceville. This is one of the strong weeklies, and edited by an ornament of the newspaper calling. The *McDuffie Journal*, at Thompson, and the Louisville *News and Farmer* and Bainbridge *Democrat* by Mr. Ben. Russell, complete the list of 1871. The *Carroll County Times* is a vigorous weekly, founded in 1872 by Edwin R. Sharpe. It has a pure moral tone, and steadily strives to elevate public sentiment. Carrollton is the terminus of the Savannah, Griffin and North Alabama Railroad, and the county is large and its prospects bright. The Eastman *Times*, the Toccoa *News*, the Greenville *Vindicator* by J. T. Revill, the Lumpkin *Independent*, all came

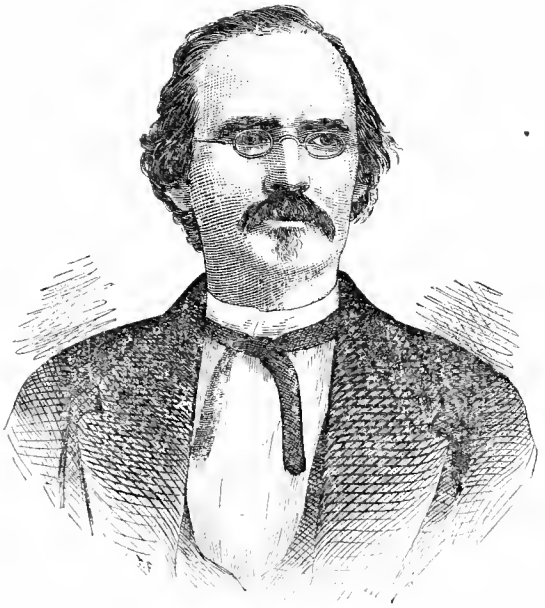
out in 1872. The *Vindicator* is conducted with singular power and independence. The Greensboro *Georgia Home Journal* was founded in 1873 by Rev. J. Knowles, an eloquent preacher and an able writer. The Hamilton *Journal* and *Middle Georgia Argus* at Indian Springs, Oglethorpe *Echo* at Lexington, and Montezuma *Weekly*, and the Thomasville *Times* by J. Triplett, also appeared in 1873. In 1874 the *State Line Press* at West Point, by S. P. Callaway; the Covington *Star* by J. H. Anderson, the Jonesboro *News*, Quitman *Reporter*, Summerville *Gazette*, and the *Darien Timber Gazette*, by Richard W Grubb, were established. These are all the very highest types of weekly journals, bold, able and enterprising. Mr. Callaway aided to found an admirable system of public schools. Mr. Anderson's career has been romantic, he figuring largely in the famous Kansas troubles, and is one of the strong men of our press. Mr. Grubb is a genius. His bright, newsy paper has been a departure in journalism, and is to-day a recognized leader among our State publications. In its files it has embalmed the local history of its county and the famous citizens. It has given some twenty-five sketches of the journalists of the State. His office has been twice destroyed by fire. As delegate to political conventions, member of State Democratic Committee, he has been unusually honored. The *Gazette* has a large circulation, copies of it going to Hong Kong, Calcutta and Europe. The year 1875 saw the birth of the *Berrien County News* at Alapaha, the Brunswick *Advertiser*, the Carnesville *Register*, Hartwell *Sun*, Irwinton *Southerner and Appeal*, Jefferson *Forest News*.

The Rome *Tribune*, the *Marion County Argus*, the Dublin *Gazette*, the Ellijay *Courier* and Butler *Herald*, Crawfordsville *Democrat*, now under charge of a bright Atlanta youth, Mr. Ed. Young, De Kalb *News* at Decatur, Franklin *News*, Henry *County Weekly* by Brown & McDonald, Walton *County Vidette* at Monroe, Coffee county *Gazette*, Swainsboro *Herald*, all had birth in 1876. The Crawfordsville *Democrat* was established by W D. Sullivan, then sold to M. Z. Andrews, who disposed of the paper to Ed. Young & Co. Mr. Young has doubled the size and circulation of the paper in a month, and its editorial management shows the first order of ability. The *Tribune* was founded by that powerful writer, Col. B. F. Sawyer, and is now run by an efficient editor, T. E. Hanbury. The *Argus*, published by W W Singleton at Buena Vista, is a conservative and well conducted journal, having a large scope of territory. The Dublin *Gazette* was the enterprise of John M. Stubbs. It had a number of editors, A. T. Allen, J. M. G.

Medlock, Ira T. Stanley, J. H. Ethcridge, and now it is managed ably by David Ware, Jr. The Ellijay *Courier* was begun by Lumsden & Blatts. It changed hands several times, until in 1877 it came into the vigorous control of W F Combs, its present efficient editor. It is the official paper of Fannin, Gilmer and Pickens. It has been a faithful advocate of our public school system. The Du Pont *Okefeenokean*, Walker County *Messenger* at La Fayette, Quitman *Free Press* and Griffin *Sun* belong to the year 1877. Mr. C. R. Hamleiter edited the *Sun* vigorously, and recently sold it to Randall & Randall.

In 1878 the Dade County *Gazette*, the Conyers *Weekly*, and the Dalton *Argus*, Blackshear *News*, Cartersville *Free Press*, by C. H. C. Willingham, that sturdiest of our political editorial fighters, the Cedartown *Advertiser*, the Dublin *Post*, and Louisville *Courier*, came forth to healthy usefulness. The Rev. J. A. Darr put out the *Gazette*, Dr. T. J. Lumpkin bought it in 1879, and runs it now. Its motto well exemplifies its management—"Faithful to the right and fearless against the wrong." Mr. J. N. Hale established and now conducts the Conyers *Weekly*, and it is a paragon of good administration, run strictly on a cash basis. The *Argus* was the bantling of H. A. Wrench at Dalton, and was a spicy, outspoken, combative, keen-cutting striker. It is now run by Hamilton & Willingham, and is still a piquant paper.

In 1879 several most excellent journals were established, one of them in its scholarly, forceful and vivid editorials equaling any journal, North or South. This paper, the Sparta *Ishmaelite*, edited by Sidney Lewis, is marked by a commanding ability, thorough fearlessness, and an incisive discrimination in its editorial conduct. Mr. Lewis is certainly a strong and gifted writer, and one of the ornaments of Georgia journalism. The Fort Gaines *Tribune* was the enterprise of S. E. Lewis, and has deservedly grown into large circulation. The Douglassville *Star* was founded by Rev. J. B. C. Quillian, and sold the same year to its present proprietor, Robert A. Massey, who has made it one of the live papers of Western Georgia. The other papers, born in 1879, were the Arlington *Advanee*, Cochran *Enterprise*, Americus *Recorder*, Bellton *Georgian* in Hall county, Dawsonville Mountain *Chronicle*, Fort Gaines *Tribune*, Fort Valley *Advertiser*, Harlem *Columbian*, McVille *South Georgian*, Newnan *Leader*, Sylvania *Telephone*, Thomaston *Middle Georgia Times*, Thomasville *Post*, and Warrenton *Our Country*. The year 1880 was right prolific in new journals, the Walkinsville *Advanee*, Spring Place *Times*, Danielsville *Yeoman*, Cleveland *Advertiser*, Canton *Advance*, Camilla *Despateh*, and Elberton *News*.



Very truly yours
W. F. Thompson

Chas. H. Smith

Faithfully yours

Yours faithfully
R. M. Johnston

The year 1881 has witnessed the establishment of several successful papers; the Walton *News* by B. S. Walker, which from January to September has obtained the extraordinary circulation of 1,100 ; the Pike County *News*, by that veteran and accomplished journalist, Col. J. D. Alexander, who so long conducted the Griffin *News*. Col. Alexander was a gallant Confederate, a good lawyer, and has been one of the best editors in Georgia. He is a pleasant gentleman, true, able and full of the honor of his calling. His paper has had a remarkable success. He has just sold his journal to E. T. & J. E. Pounds.

It has been an extraordinary mark of progress that the colored people have two well established weekly newspapers, one the *Journal of Progress* at Cuthbert, edited by an intelligent man named Wright, and the other the *Blade* at Atlanta, edited by W P Pledger, Chairman of the Republican State Executive Committee, and a very well educated and smart person, a good writer and excellent speaker. This account of the journalism of Georgia is the beginning of what constitutes an interesting part of our State history, and is necessarily imperfect from the difficulty of collecting information of so multifarious an interest.

The literature of Georgia has not been voluminous, but it has been in many respects original and picturesque, and marked by a vivid individuality. The field in which Georgia literary genius has been most affluent is that subtle and delicate range of intellectual demonstration known as HUMOR. Our State can point to five writers of national reputation, who have rightfully won the fame due to genuine and original humorists. No state or country on the globe can show in one generation such a galaxy of humorous writers as Georgia. These five, in the order of their seniority, are Judge A. B. Longstreet, author of "Georgia Scenes," Col. William T. Thompson, author of "Major Jones' Courtship," Col. Richard M. Johnston, author of the "Dukesboro Tales," Charles H. Smith, our "Bill Arp," and Joel Chandler Harris, our "Uncle Remus." The first three, Longstreet, Thompson and Johnston, have pictured the racy flavor of country life ; Mr. Smith has ranged over the whole domain of humorous thought, touching up the world of human foible with a gentle satire ; while Mr. Harris has portrayed with a master hand that wonderful and obsolete character, the plantation negro of the gone slavery days. Perhaps it is not invidious to say that the younger one leads the quintette. "Uncle Remus" has gone to Europe to capture the critics and literary savans there, and it is not less an inimitable and sustained piece of character drawing, imbued with a matchless humor, than a priceless contribution to ethnological science.

The South owes a debt to this author for snatching from oblivion pictures of a personality so pathetic and so valuable.

Mr. Harris is versatile. He writes dainty poems, strong political leaders, business editorials, discriminating literary criticisms, pungent paragraphs upon the absurdities of the day, and he has sketched a serial story, the "Romance of Rockville," that betokens the power of the novelist. He is now engaged upon a story for "Scribner's Magazine," depicting the old slave life in the South. The most attractive quality of Mr. Harris' genius is his own utter unconsciousness of its versatile power.

Judge Longstreet valued very little his talent for humorous writing, and was said to be ashamed rather of his successful venture. His "Ransey Sniffle" will live forever. Col. Thompson wrote also "Major Jones' Travels," the "Chronicles of Pineville," "Hotchkiss' Codification of the Statute Laws of Georgia," a dramatization of "The Vicar of Wakefield," and "The Live Indian," a comedy out of which John E. Owens, the comedian, made fame and money, without pay to the author. And strangely too, Col. Thompson was tricked out of the copyright of his "Major Jones' Courtship," in the very flood tide of its extraordinary sale, and by a chain of curious circumstances has reaped no profit from its great circulation. This book was first published in the Madison *Miscellany*. A chaste writer and an inimitable humorist, Col. Thompson will live in our literary annals enduringly.

Col. Johnston is writing regularly for the magazines, "Harpers'" and "Scribners'" His "Puss Tanner's Defence," in Harpers' several months back, is simply unsurpassable. It, like his "Dukesboro Tales," is a delicious piece of characterization, veiling in its exquisite humor, and faultless portrayal of personality, a pathos as gentle and an underlying tragic intensity as strong as any man's pen ever embodied. As for "Bill Arp," the man seems perennial. Week after week for years he has sent out his unfailing messengers of wise fun, scalping with a kind keenness the every day fatuities of life, and beneath it all bubbling out a never ceasing current of touching human nature. His book "Peace Papers" had a fine run. Judge Longstreet has gone to his long home. Col. Thompson, in his editorial labor, does no literary work. Long may he and Johnston and Arp and Uncle Remus be spared to scatter their humorous wisdom and illustrate Georgia in the world of letters.

We have had considerable Historical writing in our State. McCall and Stevens gave us fragments of Georgia History. The Rev. George White furnished valuable contributions in his "Statistics of Georgia,"

Very truly yours,

Charles C. Jones Jr.

and "Historical Collections of Georgia," coming to 1854. In 1779, we had the "Historical Account of the Progress of the Colonies of South Carolina and Georgia," by Rev. Mr. Herbert. In 1869 a "History of Georgia" was printed by T. S. Arthur and W H. Carpenter. Hon. Thomas R. R. Cobb wrote in 1858 an "Historical Sketch of Slavery." Stephen F. Miller in 1858 published his "Bench and Bar of Georgia." Judge E. J. Harden printed a "Life of Gov. George M. Troup." Hon. A. H. Chappell put forth in 1874 "Miscellanies of Georgia," and Thomas Gilbert of Columbus was the publisher. Hon. William A. Stiles wrote before the war a "History of Austria," a scholarly work. Judge Garnett Andrews was author of "Reminiscences of an Old Georgia Lawyer." A very remarkable book of historical Biography by a Georgian is "Reminiscences of Fifty Years," by William H. Sparks, a work of uncommon vividness, value and dramatic power. Col. Sparks has a second volume of these interesting Reminiscences ready for the press.

The undisputed head of our Georgia historic writers is Col. Charles C. Jones Jr., a gentleman of the highest literary culture and a born antiquarian. He has published twenty-five books and pamphlets relating to Georgia matters, and is now engaged upon a three volume work covering the entire field of Georgia History from the founding of the colony to the present. His most important work, that has attracted the attention of the literary savans of Europe and won him the degree of LL. D., from the University of the City of New York, is the "Antiquities of the Southern Indians, Particularly of the Georgia Tribes." This volume has a large scientific value, is a model of ornate and strengthful style, and is the fruit of antiquarian research, critical, accurate, and profound. Col. Jones numbers among his other valuable publications, "Indian Remains in Southern Georgia," "Monumental remains of Georgia," "Historical Sketch of the Chatham Artillery," "Ancient Tumuli in the Savannah River," "Ancient Tumuli in Georgia," "Historical Sketch of Tomo-chi-chi, Mico of the Yamacraws," "Reminiscences of General Henry Lee," "Kasimir Pulaski," "The Siege of Savannah in 1779," "The Siege of Savannah in December 1864," "Sergeant William Jasper," "General Officers of the Confederate Service," "The Dead Towns of Georgia," "The Life of Commodore Josiah Tattnall," "Aboriginal Structures in Georgia," "Hernando De Soto, His March Through Georgia," "Memorial of Jean Pierre Purry," "The Georgia Historical Society," "The Colonial Acts of the General Assembly of Georgia, 1754–1774." Besides these important publications, whose

scope and variety give token alike of the literary labors of this classical writer and accomplished antiquarian, Col. Jones has contributed innumerable articles to the reviews and periodicals of the country. He adds the graces of a charming gentleman to his literary tastes, and has a superb collection of original historical manuscripts and important Indian relics. He writes with remarkable fluency and taste, in a chirography like copperplate. His "History of Georgia" will be a work of unspeakable value, and it is fortunate that the important labor has fallen to one so capable and finely equipped.

Interesting sketches have been written of Savannah by ————; of Macon, by J. Butler; and of Atlanta, by E. Y. Clarke. Ex-Gov. Wilson H. Lumpkin left valuable manuscript of record of a number of years of Georgia History, that has never been published. Col. Herbert Fielder has ready for the press, manuscript of a History of Georgia covering the late war which must prove a valuable work. One of the most important books of historical bearing is the famous "War Between the States," by Hon. Alexander H. Stephens, in two volumes, which has had a wide circulation, and is a profound and accurate presentation of the philosophy of the great civil war. Two very interesting biographies of Mr. Stephens have been written, one by Henry Cleveland, and the other by Richard M. Johnston and William H. Browne. Another brilliant Georgia biography is the "Life of Linton Stephens," by J. D. Waddell.

Georgia has had a lavish affluence of poets, and can number among them some of the admitted masters of poetry. Such names as James R. Randall, Paul H. Hayne, Sidney Lanier, Charles W Hubner, F O. Ticknor, Harry Flash, Henry R. Jackson, and Richard Henry Wilde, constitute a galaxy of genuine poetic genius. Mr. Randall has won an immortal fame by his "My Maryland." His handsome face, lit with the inspiration of his soul, is a noble outward indication of his exalted strain of pure poesy. His newspaper work is uniformly of the highest order, chaste, glowing, thoughtful, alike full of solidity, faultlessness and radiance. Mr. Hayne has taken a high stand in the world of literature, he being the only one of our writers who devotes himself to it as a profession. He has published several volumes of poems. He is a fine master of versification. He has written some very fine sonnets. He has just furnished the ode for the opening of the International Cotton Exposition at Atlanta, that is a fair out-giving of his poetic genius, warm, scholarly, musical and vivid.

The name of Sidney Lanier evokes the tenderest thought of the

reader. His recent death, so young and yet so established in fame, and with such affluence of distinction before him, has made him rarely mourned. He was a singularly gifted person. His mind early displayed originality, brilliance and critical taste and beauty of scholarship. He published "Tiger Lilies," a novel, in Georgia, a book full of his individuality. He moved North and fixed himself in the literary world easily and shiningly. He was chosen from the whole rich range of American poets to deliver the opening poem at the Great Centennial at Philadelphia—a glittering pre-eminence. He published in succession with increasing fame, "The Science of English Verse," and "Boys King Arthur." And he died in the midst of a new project, and occupying the distinguished chair of lecturer in literature at the John Hopkins University. Lanier was a genuine genius. He had the true poetic inspiration and a divine master's faculty of poetic utterance. Richard Henry Wilde's "My Life is like a Summer Rose," will live with the language. Gen. Jackson is a true poet, and has written some exquisite gems of poetic feeling and expression. He published in 1850 a volume entitled "Tallulah and other Poems." Perhaps "*My Father*," and "*My Wife and Child*," are his best poems and breathe the true inspiration. Harry L. Flash, editor of the Macon *Telegraph*, was a poet of rare power. He has settled down in some distant State to the sale of pork, but to that prosaic business in which he is said to be succeeding admirably, he is devoting a poetic faculty as dainty as exists. In 1860 he published a volume of poems, and he has written fugitive pieces as exquisite as anything in the English language.

One of the daintiest and sweetest poets we have in Georgia is Charles W Hubner, now employed upon the editorial staff of the *Christian Index*. He has published a number of volumes, all rythmical, fervent and sparkling. His "Souvenirs of Luther," "Wild Flowers," "Cinderella," and "Modern Communism," have given him an admitted standing as the possessor of the true poetic faculty. He is now issuing, through the fine publishing house of Brown & Derby, a volume of "Poems and Essays" that will enlarge his rising fame. There is one name upon which every Georgian can linger with a tender admiration, Dr. F. O. Ticknor. His poems were thrown off carelessly, and never published in book form until after his death, but he had a flashing vein of poetic genius, and deserves to rank among the true poets of America. His "Little Giffen of Tennessee" is one of the living lyrics of the English language. J. R. Barrick, once editor of the Atlanta *Constitution*, and A. R. Watson of the Macon *Telegraph*, were

both fair poets. Mrs. M. C. Bigby of Newnan, Ga., has written some meritorious verses. Mrs. E. B. Castlen of Macon, published a sprightly volume of poems under the title of "Autumn Dreams." Miss Annie R. Blount of Augusta, printed a volume of poems before the war. Mr. S. Yates Levy of Savannah, wrote a successful drama, "The Italian Bride," for Miss Eliza Logan, that evinced merit. Father Ryan wrote some of his best poems in Georgia while editing the *Banner of the South* in Augusta. His "Conquered Banner" has become historic. Miss Carrie Bell Sinclair of Augusta, published a volume of poems. Mr. John C. Langston of Bolingbroke, has recently printed a volume. Mrs. Jennie Porter has published "Valkyria" this year, a work commemorating the war, with many poetic flashes, and having an excellent circulation North. Mr. James Maurice Thompson, formerly a lawyer of Calhoun, Ga., has become a regular and popular poetic contributor to the literary journals of the country. He has written many fine tales.

Of serious works, Georgia has produced quite a number. Mr. John S. Wilson published the "Necrology of the Synod of Georgia" in 1871; Rev. James P Simmons of Lawrenceville, the "War in Heaven;" Prof. Joseph Le Conte, a "Text Book of Geology," and with his brother, Dr. John Le Conte, a "Text Book of Chemistry;" Dr. P H. Mell, the present able Chancellor of the University of Georgia, "Baptism," "Predestination," "Corrective Church Discipline," and a "Manual of Parliamentary Practice;" Rev. F. R. Goulding wrote "Life Scenes from Gospel History," besides an inimitable series of boys' books that have had a world-wide circulation. "The Young Marooners" was printed in 1852 and has been issued by the tens of thousands in America and Europe. Mr. James P Harrison has just issued one of the most valuable publications of the day, a volume of 900 pages, giving the biographies of Southern Baptist divines, illustrated with over 400 portraits. It has been edited with great care, and printed by his own publishing establishment, the Franklin Printing House. A remarkable work just published is "Our Brother in Black," by that powerful writer and eloquent divine, Rev. Atticus G. Haygood, president of Emory College and editor of the *Methodist Advocate*. It is an able, fearless, original and conservative work, dealing with the problem of the colored race in the South with both a Christian and statesman-like hand. It is one of the most sententious, pregnant and philosophical publications of the time, and deserves the general circulation it is getting. Capt. M. Dwinell, of the Rome *Courier*, gave us "Common Sense Views of Foreign Lands," a remarkably clear book of travels, written with force and sim-

plicity. Rev. J. M. Bonnell, president Wesleyan Female College, Macon, issued a "Manual of the Art of Prose Composition." Prof. R. M. Johnson published "The English Classics" as a text-book in colleges, a work clear, accurate and discriminating. Col. W S. Rockwell printed a "Hand-Book of Masonry." Mrs. Mel R. Colquitt is one of our most gifted lady writers, who has written no book, but gained high reputation for her varied contributions to the periodicals of the day. Mr. White of Athens has written a book on "Southern Gardening" that is an authority.

In the domain of fiction Georgia has done well. The leading novelist of the South, Miss Augusta J. Evans, now Mrs. Wilson, author of "Beulah," "Macaria," etc., and is a Georgia born lady. Hon. Henry W Hilliard, recent U. S. Minister to Brazil, Congressman from Georgia from 1845 to 1851, issued a novel, "De Vane: a Story of Plebeians and Patricians," in 1866. Mr. Clifford A. Lanier, a brother of Sidney Lanier, has given the State two novels, "Thorn-Fruit" and "Two Hundred Bales;" Rev. Mr. Warren of Macon, the novel of "Nellie Norton;" Mrs. Maria J. Westmoreland, "Heart-Hungry" and "Clifford Troup;" Mrs. Mary E. Tucker, the "Confessions of a Flirt;" Mrs. Emma L. Moffett of Columbus, "Crown Jewels;" W D. Trammell, "Ca Ira;" Miss L. A. Field, "Helen Freeman on the Right Path;" Mrs. M. J. R. Hamilton, "Cachet;" Mrs. Fannie Hood of Rome, "Maude, a Life Drama;" Mrs. Hammond of Atlanta, has recently put out the "Georgians," a novel of unusual power.

Our two romance writers at present, of largest celebrity, are Mrs. Mary E. Bryan and Prof. William Henry Peck. Mrs. Bryan has published "Manche" and "Wild Work," two very dramatic novels, given out under the strong imprimatur of the Appletons, and displaying talent of a high order. She has been for years editing the *Sunny South*. That she has found time and been able amid her severe absorption of journalistic duty to produce two such fictions, is something remarkable. "Wild Work" is a reconstruction romance, founded in fact, and depicting some of the anomalous phases of that strange era in the South following the war, that has been narrated in this volume in its place in the march of turbulent events. Mrs. Bryan has genuine literary genius, and it is finding a wide and appreciative recognition. She is also a lady of lovely character and delightful social qualities. Prof. William Henry Peck has probably made more money than all the rest of our literary workers. He has been professor, president of a college, editor and novelist. His fecundity of literary production is extraordinary. He

had published thirty-four serials up to 1869, many of them stories of the late war, the "Renegade," "The Conspirators of New Orleans," "The Phantom," "The Confederate Flag of the Ocean," "The Maids and Matrons of Virginia," etc. In 1868, Prof. Peck moved to New York and lived there until 1875, when he located in Atlanta. In New York he wrote only for Bonner's great paper, the *Ledger*, the New York *Weekly* and the Philadelphia *Saturday Night*. Mr. Bonner, with that bold management that has marked him, has for years monopolized the genius of our Georgian, whose stories have so largely contributed to his paper's success, and paid him the salary that railroad presidents receive. Mr. Peck has had $5,000 for a single story. His novels are principally historical, requiring laborious study before the author begins to fill out his plots. He writes usually five hours a day, sometimes ten. He studies five hours a day, and in addition reads everything published and keeps up with the press. He is a student of faces, voices, mannerisms and peculiarities, and combines the result of his observation in his characters.

It has been no accident or stratch that enables this industrious Georgian to lead the serial writers of the world, to command a princely income, and to maintain his hold upon the largest reading constituency in America and England. Since 1870 he has written some forty novels, among them "The Stone Cutter of Lisbon," "The King's Messenger," "The Queen's Secret," "Flower Girl of London," "The Miller of Marseilles," etc.

The characteristics of both our Georgia Journalism and Literature are marked,—healthy sentiment, independent thought, and a rapidly increasing culture. The genius of our Georgians is pure, original, and of a sunny, picturesque quality, but lacking in discipline and equipment. The epoch of reconstruction has in many respects favored the demonstration of our Southern literary talent. The stimulus of necessity has forced latent intellectuality to vigorous exercise. Success, of unquestionable capacity, has only been possible in competition with the trained methods of literary professionals, and to this end have our bright Georgia intelligences studied and striven. The warm fancy and strong, vivid, ready brainfulness of the minds of a race, gifted by nature and inheritance, have developed wonderfully. And, in the light of the versatile intellectual activity in our State in the last decade, reaching the demands of cosmopolitan criticism, grasping the attention of the world of letters and running into the highest forms of manifestation, we can indulge in large augury for our State's literary future.

CHAPTER LII.

THE RAILROADS, RESOURCES AND FUTURE OF GEORGIA.

The State use of Railroads.—Stupendous Railway Schemes Centering in Georgia recently.—Our State Railways.—The Central, Georgia, Air Line and State Railroads.—Wm. M. Wadley and his Great Plan.—E. W Cole and his Dramatic Vicissitudes.—The Erlanger Syndicate.—The Richmond and Danville, and Georgia Pacific Combination.—The Louisville and Nashville Organization and Gen. E. P. Alexander.—Over 250 Millions of Railroad Property Focalizing on Georgia; and 25 Millions Building on Georgia soil.—Our Railroad Superintendents.—L. N. Trammell, Railroad Commissioner.—Georgia's Mineral Affluence.—A Grand State in Mineral Wealth.—The Results of the Geological Survey.—Our Agricultural Attractions.—The Work of our Agricultural Department.—Cotton Production.—Fruit.—Immense Range of Production.—Productive Fertility.—Stock.—Water Power Illimitable.—Small Farms.—Cotton Manufacture.—Free Schools.—The International Cotton Exposition.—An Amazing Enterprise.—A World's Fair put on foot in 108 days.—The Men of this Great Work.—The Opening of the Exposition.—Great Speeches.—Senators Z. B. Vance and D. W Voorhees.—The Scope of the Exhibit.—A New Era betokened, and Georgia its Apostle.—The Summing up of Georgia's Career and Destiny.—A Noble Statehood, leading in the rush of Civilization and Progress.—The End.

ONE of the most powerful elements in Georgia's striking progress has been that her people early learned the value of the railroad, as an irresistible instrumentality of advancement. And it has been a curious exemplification of her potential destiny, that in the last year or two this State has been the focal point of five stupendous railroad combinations, including thousands of miles of track, radiating through a quarter of the vast Union, and involving hundreds of millions of property. And it is a fact, significant and honorable, that the majority of the master spirits of these colossal enterprises are from Georgia. It is no accident that this supreme pre-eminence has fallen to our commonwealth, but it is the result of adequate causes—her geographical advantages, her superb resources, and the genius of her men.

We have now in Georgia 2,616 completed miles of railroad property in the State, estimated as worth sixty millions of dollars. The capital stock in 1880 was $31,380,650; funded and other debt, $24,136,727—total $55,517,342. These roads cost $49,676,723. They earned

$8,416,625, net earnings being $3,429,018, of which $1,619,936 was paid as dividends, and $1,051,111 as interest. The first railroads built were the Central, from Savannah to Macon, 191 miles in length, and the Georgia railroad, 171 miles, from Augusta to Atlanta. The experimental survey for the Central Road was made by Col. Cruger, at the cost of the city of Savannah, in 1834. The Central Railroad and Banking Company was organized in 1835, the road begun in 1836, and completed in 1843. The master spirit of this initial enterprise was W W Gordon, Esq., a gentleman of uncommon energy and administrative ability. The charter of the Georgia road was granted in 1833. A part of it was operating in 1837, and the road completed in 1845. The Macon and Western Railroad was chartered in 1833, the charter amended in 1836, and the road completed from Macon to Atlanta, 103 miles, in 1846. These roads had been constructed by private capital. Our enterprising people immediately turned their energies to connecting our completed triangular system from Savannah and Augusta, to Atlanta, with the great West. Some bold spirits, among them Hon. Alex. H. Stephens, chartered, and voted the State's money to the Western and Atlantic Railroad, 138 miles, from Atlanta to Chattanooga, Tenn. This road was completed in 1850. The Air Line was chartered in 1856. Mr. Jonathan Norcross was the first president. The road was located in 1860. Work was not begun until 1867, under Col. Buford as president. The first ground was broken March, 1869, and the first rail laid October, 1869. The road was completed August 26, 1872, the 265 miles from Atlanta to Charlotte costing $7,950,000. The name, Col. J. G. Foreacre, has a powerful and honorable connection with this great road. He was its general manager for years, and is a gentleman of extraordinary ability and enterprise. He is now president of the North-Eastern Railroad. Still another name of strong prominence that had connection with the Air Line, is Maj. John B. Peck, who has long managed the South Carolina road, an able railroad writer as well as manager.

To show the benefits of railroads, on the Air Line road, the population decreased from 1850 to 1860, when there was no railroad, at least two per cent., or from 108,800 to 105,247, while on the Western and Atlantic railroad it increased thirty-five per cent., or from 98,208 to 132,549. The enhancement of property in value was over twenty-two millions, or eighty per cent. greater on the State road. After the Air Line road was built, the increase in fourteen counties was fifteen millions in four years, and 2,000 voters, representing 14,000 people.

The South-western Railroad, 143 miles, from Macon to Eufaula, Ala.; the branch from Gordon to Eatonton, 38 miles; the branch from Augusta to Millen, 53 miles; from Barnesville to Thomaston, 16 miles; from Fort Valley to Columbus, 71 miles; from Perry to Fort Valley, 12 miles; from Smithville to Arlington, 59 miles; from Cuthbert to Fort Gaines, 22 miles; from Griffin to Carrollton, 60 miles, all now belong by purchase or lease to the Central, making 787 miles.

The Georgia Railroad, 171 miles; Macon branch, 78 miles; Washington branch, 18 miles; Athens branch, 40 miles; Hartwell road, 10 miles, and Lawrenceville road, 10 miles, making 327 miles, have been leased by the Central Railroad, giving that enormous corporation 1,114 miles of track in the State, besides its outer connections of the Western Railroad of Alabama, Montgomery and Eufaula road, and Port Royal and Augusta road, running its total to 1,494 miles of road. It is in close sympathy with the Atlanta and West Point Railroad, 89 miles, one of the most valuable and best managed railways in the South, whose stock has valued high, and whose governing spirit has been Col. L. P. Grant, one of the most capable railroaders in the Union. The gentleman whose name is most identified with the Georgia Railroad is Hon. John P. King, once a United States Senator, and for forty years a real railroad monarch, able, far-seeing, public-spirited and influential. The genius of this powerful combination is William M. Wadley, a gentleman of iron force of character and a capacity for broad enterprises. Mr. Wadley is a large, noble looking man, with a face of singular benevolence of expression. He began in the humblest capacity on the Central Road. He has risen to a masterful pre-eminence through an individuality, unusually strong, simple and direct, with a vigorous positiveness of will, and far-reaching conceptions, and yet with a narrowed range of thought in some matters due to lack of early culture. He is a great-brained and indomitable man. His superb system, grasping the most vital railways of the State, connecting at Savannah with the Northern ports by a magnificent line of Ocean steamers, clutching the South Carolina seaport metropolis of Charleston, with its roads, holding a direct link with Alabama and Mississippi and the great West, is a monument to his consummate and sagacious audacity. Mr. Wadley builds solidly, and he is one of the Railway Kings, not only of Georgia but of the South.

The Macon and Brunswick Railroad was begun in 1859 and finished in 1869, costing four millions for the 196 miles, including the branch to Hawkinsville. Col. George H. Hazlehurst was the ruling spirit of this

enterprise, a charming gentleman, and an accomplished railway manager. This road, whose history is romantic in the extreme, is the corner stone of the famous Cole-Seney combination. The history of these colossal railway movements in Georgia is a glowing chapter of startling surprises, sudden, secret and overwhelming purchases on a gigantic scale, splendid demonstrations of individual management, and formidable coalitions of capital and genius. And connected with these dramatic audacities of railway enterprise, have been some touching episodes of personal strategy, success and disappointment. Col. E. W. Cole, long in charge of the Georgia Railroad, had while President of the Nashville and Chattanooga and St. Louis roads, conceived and carried out apparently a powerful scheme that gave him supremacy to the Georgia coast. In the very hour of success, the Louisville and Nashville Railroad, under Victor Newcomb's daring young guidance, bought the Nashville and Chattanooga road, dethroned Cole and clutched his great scheme. It was like Sedan to Napoleon, seemingly, the end of an empire.

Col. Cole bore his downfall philosophically. He had in his long railroad career demonstrated abilities so conspicuous, judgment so sound, executive power so superlative, and a scope of conception so accurate and broad, that when he organized in a few days a plan covering a cash expenditure of sixteen millions of dollars, and gathering into a comprehensive and symmetrical chain the scattered links that railroaders had struggled with for years, the country gave to the indomitable Cole the acclaim due to his enterprise and genius. Taking Brunswick, Georgia, as his ocean terminus, he bought the Macon and Brunswick road, Selma, Rome and Dalton road, East Tennessee and Virginia road, leased the Memphis and Charleston road, and has thousands of hands building the gaps from Macon to Rome, through Atlanta. Baffled in leasing the Cincinnati Southern, he has perfected his scheme by securing connection with Norfolk and by Knoxville to Kentucky, and from Morristown to the Carolina roads. His associates are Mr. George I. Seney of the Metropolitan bank of New York, whose gifts to the Georgia colleges have so endeared him to the people of our State. The whole line of this combination includes 2,138 miles, penetrating the seven states of Georgia, Tennessee, Alabama, Mississippi, Kentucky, North Carolina and Virginia, and represents fifty millions of dollars.

The Brunswick and Albany railroad, like the Macon and Brunswick road, a Georgia enterprise full of romantic eventfulness in its construction, begun before the war and finished since, a memento of the most tragic episode of Reconstruction, embroidered with the association of

over five million of fraudulent bonds, has been made the initial link of another vast railway scheme, known as the Erlanger syndicate of Frankfort capitalists in Europe, represented by Mr. Fred Wolfe. This line extends from Brunswick, Ga., to New Orleans, and from New Orleans through Chattanooga to Cincinnati, and from New Orleans to Texas. It owns besides the Brunswick and Albany road, the Vicksburg and Shreveport, and the Vicksburg and Meridian, the Memphis, Holly Springs and Selma roads, and has leased the Cincinnati Southern. It has invested over twelve millions, and is building between three hundred and four hundred miles of new road. The Erlanger line embraces at present one thousand six hundred and thirty-one miles of road, worth forty millions of money, and it is still extending. It includes at present the following lines:

Cincinnati Southern,	326 miles.
Alabama Southern,	296 "
Meridian to Vicksburg,	145 "
Vicksburg to Shreveport,	196 "
Meridian to New Orleans,	193 "
Eutaw to Memphis,	175 "
Eutaw to Selma,	52 "
Selma to Albany,	163 "
Albany to Brunswick,	85 "
Total,	1,631 "

Mr. Wolfe has twenty-five millions to invest. Baron Erlanger, the head of the syndicate, is the husband of the daughter of John Slidell, Confederate Commissioner to Europe, captured on the British steamer Trent. To the historic fact of Slidell's embassy and the affectionate devotion of his daughter to the South, do we owe this enormous investment of capital, commencing in Georgia, in the railways of the South.

The Georgia Western Railroad, running from Atlanta into the inexhaustible coal fields of Alabama, has been a cherished project of Georgia enterprise for years. Starting and failing, organized and reorganized time and again, finally Gen. John B. Gordon caught up the unutilized and affluent opportunity, and has given it life. He and his brothers, E. C. Gordon, Walter Gordon and Gov. A. H. Colquitt, organized the Georgia Pacific Syndicate, with twelve and a half millions of capital, to build a line from Atlanta through Birmingham, Ala., to the Mississippi river. That rich and powerful syndicate, the Richmond and Danville, already owning the Air Line road in Georgia, has taken in the Georgia Pacific. This magnificent scheme covers the following roads:

Richmond to Danville, Va.,	140 miles.
Piedmont Railroad, Danville to Greensboro, N. C.,	49 "
North Carolina Railroad, Goldsboro via Greensboro to Charlotte, N. C.,	223 "
North-western North Carolina Railroad, Greensboro to Salem, N. C.,	29 "
Atlanta and Charlotte Air Line Railroad, Charlotte to Atlanta, Ga.,	269 "
N. & C. Narrow Gauge branches,	70 "
Charlotte, Columbia and Augusta Railroad, Charlotte via Columbia to Augusta, Ga.,	191 "
Columbia and Greenville Railroad, Columbia to Greenville,	143 "
C. & G. branches,	85 "
Spartansburg, Union and Columbia Railroad, Alston to Spartansburg, S. C.,	68 "
Ashville and Spartansburg Railroad, Spartansburg to Hendersonville, N. C.,	48 "
Western North Carolina Railroad, Salisbury to W F. Ashville,	155 "
Virginia Midland Railroad, Alexandria to Danville, Va.,	233 "
Manassas Junction to Strasburg, Va.,	62 "
Franklin Junction to Roey Mount, (N. G.,)	37 "
Orange C. H. to Gordonsville, Va.,.	9 "
Warrenton Junction to Warrenton, Va.,	9 "
Richmond, York River and Chesapeake Railroad,	39 "
North-eastern Railroad and Georgia, Athens to Lula, Ga.,	40 "
	1,899 "

Add to this net-work of 1,895 miles the Georgia Pacific from Atlanta to Greenville, Miss., and Arkansas City, and its branches, of 500 miles, and we have the superb aggregate of 2,395 miles, worth seventy-five millions of dollars, with Atlanta and Richmond its centers. The President of the Richmond and Danville Company is N. S. Buford of Richmond ; Vice Presidents, George W Perkins of New York and A. Y Hokes and T. M. Logan of Richmond, with T. M. R. Talcott as General Manager, A. Pope, General Agent, and R. Temple as the Chief Engineer. The Georgia Pacific remains under the Presidency of Gen. John B. Gordon.

We now come to the powerful combination, that seems to be invincible, spreading its strong tentacles ubiquitously, clutching new conquests with a giant's hand, preserving an acknowledged supremacy amid all the shifting changes of railway domination, and enlarging its colossal rule with a steady, irresistible force. Working in an impenetrable secrecy, its purposes are only discovered when successful. It in some way crushes rivalry, while it has a masterful capacity of beneficial coalition. The Louisville and Nashville combination is the mysterious and potential organization to which allusion is made. It inaugurated its first startling movement in invading Georgia and dethroning the irrepressible Cole. It is bound in a cordial alliance with Wadley's gigantic system in Georgia. It bought a majority interest in the Western and

E. W. Cole

G. J. Foreacre

Col. Wm. M. Wadley.

RAILWAY MAGNATES.

Atlantic railroad, and but for the wily brain and firm nerve of Joseph E. Brown, whose forethought framed, and whose skillful management enforced, the provision in the law of the lease that kept the control of the road in the hands of the original lessees, and made a forfeiture of the lease the penalty of discrimination, this subtle and iron-handed corporation would have obtained the possession and guidance of this regnant little State road of ours. And it has been a curious piece of railway drama, that this steady, diminutive railway of 138 miles, planted in Northern Georgia, has held its imperial monopoly of power and business, firm amidst toppling syndicates, unaffected in a hurly-burly of vast changes and the war of massive schemes, making every one of the stupendous enterprises of thousands of miles of steel track, typifying millions of aggressive capital, pay tribute to its sovereignty. No rival has yet sprung into life, though King Cole is seemingly about to accomplish the achievement.

It is an interesting fact, that the active spirit of this colossal combination, the Louisville and Nashville, is our own brilliant young Georgian, Gen. E. P. Alexander, a noble officer of the South in the war, and now one of the railway magnates of the Union. He is carrying ably a vast responsibility. Wadley and Cole are nearing sixty years in age. Alexander is in the forties, and may well be called the young Napoleon of the railways. The Louisville and Nashville has over 3,300 miles of road, worth one hundred millions of dollars, covering the South and the West. An instance of its daring and watchfulness is shown in the following recent movement in Georgia.

In 1853, the Savannah, Albany and Gulf railroad was projected. Dr. John P Screven was the master-spirit, and his son, Col. John Screven, succeeded him. The road was done to Thomasville, 200 miles, in 1861, and almost destroyed during the war, and rebuilt to Bainbridge, 236 miles, in 1867 It has branches, Dupont to Live Oak, forty-nine miles; Thomasville to Albany, fifty-eight miles; and the Waycross and Florida division from Tebeauville to Folkston, thirty-four miles, extending to Jacksonville. This road had a million dollar subscription from the State, and $1,200,000 from Savannah. It is in the hands of a new company, and bears the name of the Savannah, Florida and Western railroad. The Louisville and Nashville road has, with its accustomed sagacity, combined with the Savannah, Florida and Western railroad, which extends its line to Chattahoochee, Florida, connecting with the Pensacola and Mobile road, now constructing by the Louisville and Nashville Company, and forming a direct and unbroken trunk line from

New York by Savannah to New Orleans. Thus does a Georgia line, starting from a Georgia seaport, afford the main Atlantic Southern outlet for another grand scheme. The Louisville and Nashville covers its shining tracks of steel from Norfolk to New Orleans by two routes, from Louisville to Pensacola, and from St. Louis to the Gulf of Mexico and the Atlantic Ocean.

Again, Mr. Garrett, President of the Baltimore and Ohio Railroad, is said to be seeking his own line from Danville, Va., through Spartansburg, S. C., to Atlanta, at a cost of ten millions of dollars. These colossal enterprises stagger the imagination, and yet they are realities. The whole tendency of railway management is to vast consolidation, which is now experiment. It remains to be seen whether the huge net-works of railway will prove homogeneous and successful systems, or loosely knit schemes, heterogeneous and inharmonious. One thing is certain, and that is that in the face of these sweeping systems, State railroad commissions, governing isolated links of great chains, must be powerless to regulate them, especially in the absence of a uniformity of policy in the States. It looks as if a National commission must ultimately be a necessity.

It is another evident contingency of this consolidating phase of railroadism, that the still larger combinations of the North and West may be expected to have an eye to the South, sooner or later, and with their illimitable capital and herculean enterprise, we may look for disarrangements of our Southern syndicates. Jay Gould has 12,000 miles of railway, from New York to California and Mexico. Railroads are secured by purchase of a bare majority of their stock. When it becomes to the interest of Gould or Vanderbilt, in the rushing development of Georgia and its enhanced value in a commercial view, to turn a longing eye here, we may not unreasonably anticipate a flutter and displacement of our present syndicates.

Be this as it may, Georgia to-day occupies a position unparalleled in the Union. Ten thousand miles of railway corporations, aggregating 300 millions of money, are pouring capital into and seeking control of Georgia commerce. Between twenty and twenty-five millions of capital from the North are being invested in railways in Georgia to perfect grand schemes. In every part of the State new iron pathways, besides those long lines already mentioned, are opening up the counties to the march of progress. The Marietta and North Georgia railroad, twenty-four miles from Marietta to Canton, is building on to the Carolina border. The North-eastern road, thirty-nine miles from Athens to Lula,

is swiftly extending; a road from Gainesville to Dahlonega is in process of construction; from Arlington to Blakely in Early county, the link is almost done; the North and South road from Columbus to Hamilton is booked for Lagrange; the Augusta and Knoxville road has its fourteen miles built in Georgia, and is going on; innumerable charters have been granted; Atlanta and Alabama, Rome and Chattanooga, Richmond county railroad, Rome and Lagrange, Cumming and Suwannee, Buena Vista road, Logansville road, Rome and Carrollton, Kingston and Gainesville, Tennille and Wrightsville, Covington and Ocmulgee, Covington and North Georgia, Covington and South River, Hawkinsville and Florida, Jeffersonville and Southern, Belt road, Cleveland and Lulu railroads.

It would not be proper to conclude reference to our Georgia railroads without some allusion to its fine array of Superintendents, men of superior capacity and character. Among these are Mr. Raoul, Mr. Wm. Rogers and W F Shellman of the Central, Gen. Wm. McRae of the State road, Col. H. S. Haines of the Savannah, Florida and Western, Mr. I. Y Sage of the Air Line, Mr. John Green of the Georgia, and Mr. J. M. Edwards of the Macon & Brunswick. A change has been just made in the Railroad Commission, Col. N. C. Barnett retiring, and Col. L. N. Trammell taking his place. Col. Barnett filled the place well. Col. Trammell has all the qualities to make a superior Commissioner. He brings to the high duties a splendid practicality, ambition to serve the public interest, and natural diplomacy.

The resources of Georgia are not fully known. The Geological survey, so well conducted for five years by Dr. George Little, still incomplete, presents such an exhibition of varied wealth, even in its partial execution, as places our commonwealth foremost in its transcendent natural advantages.

The results of the survey have been: 1st, a collection of ten thousand specimens of minerals, rocks, ores, fossils, plants and woods, representing every county in the State, arranged in geographical position, so that any one may walk through the room on county lines and see samples of everything which would be seen by traveling over the whole State.

2. A topographical map of the State, half completed, showing the county lines as now established by law, county towns, villages, post-offices, churches, schools, mills and roads.

3. A geological map of the State, showing the different formations and periods in its history, and the mines in operation.

4. A hypsometric map showing the elevations from tide water to 4,811 feet on the Blue Ridge.

5. A map showing the river systems and drainage areas.

6. County maps of Dade, Walker, Catoosa, Chattooga, Murray, Whitfield, Gordon, Bartow, Floyd, Polk, Cobb, Fulton, Hall and Habersham, and of the Okefenokee Swamp, embracing portions of Clinch, Ware and Charlton counties.

7. A map of the Ocmulgee River, from Covington to Macon, showing all the sites for manufactories in a distance of seventy miles, with an aggregate fall of 400 feet, with an atlas representing the topography of the separate falls.

8. A map of North-West Georgia with two sections, showing the geological features from the North-west corner of the State to the line of metamorphic rocks, in Bartow county.

9. Unfinished maps of the counties in the western half of the State, for which all the data have been collected on sectional maps.

10. Gold mines have been put in successful operation in Rabun, Towns, Union, Fannin, Gilmer, Pickens, Cherokee, Cobb, Paulding, Haralson, Dawson, Lumpkin, White, Hall, Habersham, Lincoln, Oglethorpe and Meriwether. In 1874 there were twenty-five stamps in Lumpkin; in 1881, 425. The 400 increase represent about 400,000 dollars of investment of capital.

11. Copper has been worked by the Hunt & Douglas process, in Haralson county.

12. Lead has been mined in Lincoln county.

13. Manganese mines have been opened in Polk, Floyd and Bartow. From the last $60,000 worth was shipped during the last year.

14. Iron mines have been opened, and large shipments made, from Bartow and Polk and Dade counties, and over 100 miles of outcrop of fossiliferous iron ore located in Dade, Walker and Chattooga counties.

15. Coal has been mapped over a territory of 175 square miles.

16. Soapstone is now worked into blocks for furnaces and kilns and stoves, in Atlanta, from the mines in Cherokee.

17. The largest acid chambers in America have been built at Atlanta, for the manufacture of sulphuric acid and the mills for production of acid phosphates. These form the basis for the fertilizers, of which Georgia consumed last year $5,000,000 worth.

18. The North-eastern railroad is well under way to reach the gold, asbestos, serpentine and corundum of North-east Georgia.

19. The Marietta and North Georgia railroad is moving toward

the iron, marble, mica, graphite, talc, soapstone and gold of North Georgia.

20. The Georgia Pacific is building to the gold, copper, magnetic iron, asbestos, mica and corundum of West Georgia, the coal-fields of Alabama, and the cotton belt of the Mississippi.

21. Georgia has taken the first rank of the Southern States, from the publication of its resources for mining, manufacturing and agriculture, its climate, health resorts, mineral waters, timber and variety of soils.

Up to this time there have been collected and placed in the geological rooms, at the State Capitol, carefully labeled with the name of the owner, and the number of the lot, district and section, and arranged by counties: Asbestos from nine counties; Barite or Heavy Spa, two; Buhrstone or Mill Rock, twenty-seven; Chrome for paints, two; Coal, three; Copper, twelve; Corundum for Emery wheels, six; Diamond, one; Graphite or black lead, ten; Granite for building, forty-five; Glass sand, two; Green sand, fertilizer, four; Grindstone and Whetstone, four; Gold ores, sixty-one; Gypsum, land plaster, two; Hydraulic Cement, two; Iron ores, seventy-one; Iron Pyrites (sulphur), seven; Kaolin, for china ware, eleven; Lead ore, eight; Lignite, fuel, four; Limestone, forty-eight; Manganese, fifteen; Marble, six; Marl, fertilizer, twenty-two; Mica, eleven; Nickel, one; Nitre, two; Peat, four; Quartz (opal, amethyst), forty-six; Slate, roofing, four; Soapstone, twenty-two; Serpentine, mantels, etc., eleven; Rutile, seven; Zinc ore, two.

The following counties have minerals as follows: *Rabun*, Gold, Asbestos, Serpentine; *Towns*, Gold, Copper, Corundum; *Union*, Gold, Mica; *Fannin*, Gold, Copper, Iron, Marble, Talc; *Gilmer*, Gold, Copper, Iron, Marble, Soapstone; *Pickens*, Gold, Iron, Mica, Marble, Graphite; *Cherokee*, Gold, Copper, Iron, Mica, Soapstone; *Milton*, Gold, Iron; *Forsyth*, Gold; *Dawson*, Gold, Corundum; *Lumpkin*, Gold, Copper, Iron; *White*, Gold, Asbestos, Diamond; *Habersham*, Gold, Iron, Asbestos; *Hall*, Gold, Lead, Iron, Mica, Asbestos; *Dade*, Iron, Coal, Fireclay, Holloysite; *Walker*, Iron, Coal, Marble; *Catoosa*, Iron, Marble, Limestone.

We have now in Georgia fifty gold mills with 500 stamps, the machinery worth $500,000; one copper mine,$50,000; one Sulphuric Acid factory, $200,000; one Soapstone mill, $10,000; one Asbestos mine, $10,000; one Manganese mill, $100,000; eighteen Iron Furnaces, $2,000,000; one Lead mine, $1,000,000; one Corundum mine, $10,000; one Mica mine,

$5,000; Lime Kilns, $20,000; one Ferro-Manganese Furnace, $10,000; aggregating four millions dollars of mineral establishments. Georgia has grown from the production of 9,634 tons of iron in 1870 to 35,152 tons in 1880.

The State of Georgia has the honor of being the first State in the Union to organize a Department of Agriculture, presided over by a Commissioner charged with the administration of the office, untrammeled by an advisory board.

The administration of the Department throughout, and especially by Hon. J. T. Henderson, has been vigorous and profitable to the State by educating the farmers through many valuable publications, by increasing production and elevating the pursuit of agriculture. It contributed too, more largely than any other instrumentality, to the advertisement of the resources of Georgia, and to the enhancement of her reputation abroad. It is a source of gratification to Georgians, when traveling in other states of the Union, to hear the encomiums passed upon their State, and especially upon the work of their Department of Agriculture.

The commissioner has control of the inspection and analysis of commercial fertilizers, and by the thorough system of supervision the farmer is very thoroughly protected from loss, by the purchase of spurious goods.

The fee for the inspection of fertilizers is fifty cents per ton. The State derived during the last season the sum of $64,060.23 in revenue from this source. Previous to 1877, the inspectors received the fees as compensation for their services.

Under the law of 1877, the inspectors receive salaries and the fees are paid into the treasury. Since that time nearly $200,000 have been paid into the treasury, in fees for inspection, or $100,000 more than the Department of Agriculture has cost since its organization.

The influence of the publications of the department have exerted a silent, yet decided influence on the agriculture of the State, which has been overlooked by many, but which has not failed to impress itself upon the observant of this as well as other states of the Union—nor has this influence been confined to Georgia, but has been felt for good in adjacent states. The manuals on *Sheep-husbandry*, the *Hog*, on Cattle, Farmers Scientific Manual, the Hand-book of Georgia, Manual of Georgia, the reports of the soil-tests of commercial fertilizers in the different sections of the State—the crop reports—indeed all of the publications issued by the department, have exerted a most salutary influence upon the productive industries of the State, by supplying a

vast amount of useful information to the tillers of the soil, which they have not failed to turn to practical account.

A few facts and figures in this connection will serve to illustrate some of the beneficial effects of the work of this Farmers' Department conducted by farmers in the interest of farmers. The production of oats in the State in 1870 was, according to the census, 1,904,601 bushels. The census of 1880 shows a production of 5,544,161 bushels, on 612,350 acres. This increase has been induced, in the main, through the agency of the publications of the Department, which informed the farmers in every section and county of the State as to the varieties which had given best results. The influence of the information in regard to the Rust Proof variety of Oats, published by the Department, has been most marked.

The influence of the Department in inculcating correct ideas in regard to the use of commercial fertilizers, has been decisive in the increase in cotton production. According to the census of 1870, the Cotton Crop of the State was 473,934 bales, while the census of 1880 shows a production of 814,398 bales, upon 2,617,138 acres, aggregating 193,430 tons of lint cotton, and 386,859 tons of cotton seed. This increase in cotton production has not been accompanied by a reduction in grain. On the contrary, besides the increase in oats already mentioned, the last census shows that Georgia produced 5,544,013 more bushels of corn in 1879 than in 1869. The census reports of 1880 reveal the complimentary fact that Georgia stands the second State in the Union in the total production of cotton, a fact due to "better cultivation of the soil, the use of fertilizers and the thrift of an industrious population." It has been a remarkable fact in the cotton production of Georgia, that the use of the commercial fertilizer has made Northern Georgia a large cotton-producing section by hastening the seasons.

Georgia, in her versatility of climate and soil, is adapted for every variety of fruit, and is making rapid progress in fruit culture. The raising of early fruits and vegetables for the Northern and Western markets, is becoming a vast business. Judge Cunningham, of Atlanta, is the leader in the fruit industry. He has the largest orchard in the South, 60,000 trees covering nearly 600 acres. The first peaches bring thirty-five dollars a bushel in the New York market.

The range of production in Georgia is very wide and varied. Sea Island cotton, rice, sugar and tropical fruits, in the Southern part; cotton, corn, fruit and the cereals all over the State; and grasses and clovers in the middle and Northern parts, afford any kind of farming,

that any one can desire. The vast pine forests in the lower portion have supplied an immense and growing lumber and turpentine trade. The tea production has been proven a success, offering an illimitable source of wealth with the proper labor.

Some remarkable cases of productive fertility have been shown. Mr. R. H. Hardaway, in Thomas county, raised 117 bushels of corn to the acre; Mr. S. W Leak, of Spalding county, has obtained 40¼ bushels of wheat on an acre; Mr. J. F Madden, in the same county, raised 137 bushels of oats; Mr. T. C. Warthen, of Washington county, five bales of cotton; Mr. J. R. Winters, of Cobb county, over three tons of clover hay; Dr. T. P Janes, of Green county, five tons of clover hay; Mr. R. Peters, Jr., of Gordon county, nearly five tons of Lucerne hay; Dr. W Moody, of Greene county, seven tons of Bermuda hay; Mr. John Dyer, of Bibb county, 398 bushels of sweet potatoes; Dr. J. S. Lavender, 1552 bushels of turnips in Pike county, on one acre. These are fine results, and show alike the fertility of the soil, and the excellence of the farming.

In stock raising, Georgia has the best capacities, and has achieved good results. The Jersey cattle are taking strong and general hold on our people. Col. Richard Peters, of Atlanta, has been the leader in the introduction of stock. He has experimented in every variety of thoroughbred cattle and hogs. He has tried Devon, Ayrshire, Brahma, Durham and Jersey cattle, settling down finally upon the Jersey breed, the Merino sheep and the Angora goats. Col. W B. Cox has made a specialty of Jerseys, and also Mr. Rhode Hill, Judge John L. Hopkins, and Mr. J. B. Wade, and others.

The water powers of Georgia are almost innumerable, covering three-fourths of our counties. There are mineral springs of strong potency in 23 counties. The development of cotton manufactures is progressing with a giant stride. The manufacture of cotton where it is grown is an idea that is seizing the world, it has proven so profitable. In Augusta 170,000 spindles are running, and the profit for eleven years of one mill, has been 18 per cent. The Eagle and Phenix mills of Columbus, in 1870 used 1927 bales, and in 1880, 19,000, and have made 25 per cent. profit. The following figures taken from an article in the Savannah *News* will tell the tale of our manufactures:

"There are two classes of factories in our State—those exempt from taxation for a certain period, and those which pay taxes annually to the Comptroller General. Through the courtesy of Robert U. Hardeman, Esq., the able chief of this department of the Comptroller's office, we have verified our figures, as far as such a thing was possible.

Of the taxable factories, Bibb county has invested within her borders $77,500, Brooks $13,955, Clarke $260,000, Cobb $156,750, Coweta $7,500, Decatur $5,000, Early $6,500, Greene $52,000, Hancock $10,800, Harris $75,000, Hart $6,000, Houston $25,000, Muscogee $501,565, Newton $15,500, Pulaski $6,000, Richmond $546,000, Taylor $11,000, Troup $40,000, Upson $45,000, Walton $56,000, Warren $30,000, making a total of $1,966,070. Of the non-taxable corporations Cobb county has invested $53,000, Chattooga $225,000, Coweta $75,000, Chatham $100,000, Cherokee $16,000, Bibb $70,000, Brooks $30,000, Bartow $49,000, Early $57,000, Fulton $286,000, Muscogee $500,000, Pickens $15,000, Richmond $1,700,000, making a total of $3,176,000, and a grand total of $5,142,070. This, however, does not include the splendid new cotton factories under construction at Augusta, in Richmond county, which, when fully completed and put in operation, will add over $2,000,000 to the foregoing grand total."

These are marvelous figures.

The policy of running small well-tilled farms in the place of the baronial plantations is becoming engrafted beneficially upon our husbandry From 1868 to 1873 our small farms had increased 32,824, and now the enlargement will number 138,626, of which 76,451 are owned, and the balance rented. Only 3,491 are 1,000 acres and over; 7,017 of 500 acres to 1,000; 53,635 of 100 to 500; 26,059 of 50 to 100; 36,524 of 20 to 50; 8,694 of 10 to 20; 3,110 of 3 to 10; and 101 under 3 acres. Georgia has more farms than any Southern State. The colored people have become thrifty and own 680,000 acres of land. The farmers must generally adopt the policy of raising provisions and making cotton a surplus crop, and then with the multiplication of manufacturers we shall see an era of prosperity that can not be measured.

In free education the State is marching apace with the age. Prof. J. G. Orr, the State School Commissioner, has done a noble work.

The attendance since the inauguration of the school system in 1871, exhibits the gratifying fact of a steady growth of the system in each year. In 1871, white pupils, 42,914; colored, 6,664; total, 49,578. In 1873, white, 63,922; colored, 19,755; total, 83,677; increase, 34,099. In 1874, white, 93,167; colored, 42,374; total, 135,541; increase, 51,864. In 1875, white, 105,990; colored, 50,358; total, 156,394; increase, 20,808. In 1876, white, 121,418; colored, 57,987; total, 179,405; increase, 23,011. In 1877, white, 128,296; colored, 62,330; total, 196,626; increase, 11,211. In 1878, white, 137,217; colored, 72,655; total, 209,872; increase, 19,246. The total number of children of school age is 433,444.

Cities and towns have local school laws, paying $200,000. With the State school fund the sum of $600,000 is paid for free schooling. The State gives an endowment of $10,000 to the State University at Athens, and $8,000 to the colored college at Atlanta. The State University and

its braneches at Dahlonega, Milledgeville, Cuthbert, and Thomasville, educate free in the highest college curriculum over 2,000 pupils. We have flourishing denominational and private schools and colleges. Mr. Geo. I. Seney of New York, deserves a large share of State gratitude and appreciation for $100,000 donation to Emory College at Covington, and $70,000 to Wesleyan Female College at Macon. The State is especially affluent in Female Colleges. Wesleyan, at Macon, is the first Female College that was established in the world. The Southern Masonic Female College at Covington, Catholic Pio Nono College at Macon, Rome Female College, Rome Cherokee Baptist Female College, Houston Female College at Perry, Martin Institute at Jefferson, Conyers Female College, Collingsworth Institute, Levert Female College at Talbotton, Southern Female College at La Grange, West Point Female College, and two Female Colleges at Dalton, are among our prosperous seminaries of learning.

The following succinct and condensed statement of the advantages of Georgia was made by Hon. Joseph E. Brown, and gives an admirable recapitulation of our great State:

"The climate is genial and healthy, with every variety to suit the preferences of the immigrant, whatever may be his intended pursuit. If he desires to raise rice, sea island cotton and semi-tropical fruits, including the orange, and have fish in abundance, or desires to engage in the culture of early vegetables and fruits for Northern consumption, he can find a suitable location upon her southern coasts or islands. If he desires to engage extensively in the lumber business, there is no better field open to him in the world. In connection with this, he can make turpentine and naval stores to any extent that his capital and enterprise may justify. If he desires to raise cotton, and produce the cereals necessary for his own use, there is no better field than Middle and Southern Georgia. If he desires to embark in sheep husbandry or the raising of cattle, he can do so with great success in all the wire grass section of the State, where they winter themselves upon the spontaneous productions of the earth. If he wishes to make sugar and syrup for his own use, and even for market, South Georgia affords him an ample field. If he wishes to cultivate clover and the other grasses, with corn, wheat, oats and cotton, the rich valleys of upper Georgia hold out a most inviting prospect. If he wishes to raise the apple and other fruits of the higher latitudes, the high table and mountain lands of North-eastern Georgia afford him an ample field with liberal remuneration. If he wants to engage in the culture of potatoes and vegetables in common use, he can find a suitable location in almost any part of the State. If he wants a healthy retreat in the heat of summer he can find among the mountains of North-east Georgia localities where the buds scarcely begin to swell before the first days of June, and where he will need fire in his room every night in the year. If he wants to engage in the manufacture of cotton, water power of the best kind abounds without limit, and he will never be interrupted a day during the year by the streams being frozen over with ice, or if he prefers the use of steam power, he can have that in the upper part of the State, near the coal mines, as cheap as he can have it anywhere in the Union. And if

his tastes or his training lead him into the business of merchandising, Atlanta, Savannah and other centers of the State extend to him an inviting field and a cordial invitation. In a word, we offer to the immigrant of every country and of every calling or pursuit a cordial welcome and an inviting field of operations, where industry, energy and economy soon lead not only to competency, but to the accumulation and possession of large wealth.

The year 1881 will be a memorable one in Georgia annals in marking the most momentous and far-reaching event of her extraordinary material progress. It has at one single step placed her indisputably among the foremost states of the Union and the leader of the South. It has strikingly worked out her "manifest destiny" of supremacy. The INTERNATIONAL COTTON EXPOSITION, the first WORLD'S FAIR in the South, was opened on the 5th day of October, 1881, with imposing ceremonies. In its significance and results it was a massive occurrence. An immense crowd witnessed the pageant. The Right Rev. Bishop Robert W Elliott, son of Bishop Stephen Elliott, one of the most gifted and pious divines of Georgia, opened the ceremonies with a beautiful prayer. The Director-General, H. I. Kimball, gave a brief history of the enterprise, and presented the Exposition to the public. Gov. A. H. Colquitt, the President of the Exposition, formally received the Exposition in a brief address of fervent eloquence. Succinctly alluding to the financial and material purposes of the project, he broadened its inspiration in these noble words, which evoked deafening applause:

"While material objects and results have been wisely considered in this exposition, for one, I feel sure that the noble and beneficent impulse of this enterprise is to draw the people of every section of this great country nearer and more firmly together, and closer to each other's hearts. The idea that has run like a thread of light through every measure and labor of this enterprise is, that all sections or portions of this vast country are truly, essentially, virtually parts of it. You, gentlemen, propose to encircle in the warm embrace of your fraternal love our fellow-citizens of every state, and to unify the spirit of our common country. A sublimer work was never designed or attempted by mortal agency. * * Let the good work prosper and go on. Let the ministering spirit of peace and good will, with strong pinion, take the sweep of this vast heritage of ours, and may every patriot feel that in the house of our Father, we cherish one heart, one hope, one destiny."

U. S. Senator, Z. B. Vance, of North Carolina, followed in an exquisite little speech. His tribute to Cotton was poetic. Designating it as the "infant heir of the blood royal to the empire of trade," he continued in these beautiful words:

"The merchant in the distant city listens for tidings of its coming up; the manufacturer amid his brick walls and tall chimneys anxiously observes its bloom; the restless

speculator gazes upon its opening bolls; the mariner, with his broad sails flapping idly against his masts, waits for its maturing—and the poor everywhere pray for the gentle shower and the soft sunlight on which it feeds, and rejoice at its safe ingathering.

"Its growth is the idyllic poem of our people—its mature existence is a system of political economy. It is the source of the hoarse shout of the steam engine; it is the melody of the soft song of the spindle and the loom; it is the fairy of the waterfall; it is warmth, it is comfort, it is beauty. It is the pride of our fields, the source of our wealth, the king of our commerce."

Mr. Vance gave this soulful Southern welcome, the characteristic outflow of the sunny hospitality of our people:

"Farmers, merchants, manufacturers, miners, carriers, laboring men and men of letters, the great army of civilizers and supporters of progress and free government, the men of the press, strangers and lookers-on, countrymen and countrywomen, we welcome you all. To every one present, or to come, we extend a Southern welcome, warm as our sunshine, and bid him behold what can be done by a land whose fields were but yesterday 'kneaded into bloody sods by the maddening wheels of artillery,' whose beasts of burden were swept away by devastating armies, whose noblest sons were slaughtered in battle, whose homes were burned with fire, and whose governments have passed through an era of corruption worse than anarchy. We invite you with pride to witness these conclusive tests of the genial nature of our climate, the fertility of our soil, the energy of our people, the conservative vitality of our political institutions; in short, we invite you to see that we have renewed our youth at the fountains of industry and found the hills of gold in the energies of an imperishable race.

"To every human soul from all the broad domains of Christendom, which may have one desire to promote the happiness and stimulate the progress of our race, which can add one voice in praise of the triumphs of peace, we say welcome, in God's name, to the hearts and homes of this Southern land."

The response to this was given by U. S. Senator Daniel W Voorhees, of Indiana, in a speech of eloquence and statesmanship, holding the immense gathering upon his stately utterances for one hour and a half. This address elaborately recounted the history and triumphs of Cotton. The whole speech was a great one. There were expressions in it of noble import, and a broad grasp of inspired prophecy. The paragraphs following deserve perpetuation:

"This is a world of compensations, and it seems to me that for the sorrows of the past we are now standing in the dawn of a better day than American history has ever known, and that the splendor of its unclouded sun will soon break over our heads. Sir, the South enters the arena to contend, for the first time, for the supremacy in all the industrial pursuits. She comes with the light of youth and hope in her face, her eyes no longer red with weeping, and every patriotic heart in the North salutes her here on these grounds with a fraternal embrace. This is a field of peaceful strife over which the angels in heaven have joy. The South and the North meet here with one language, one territory, one government, one allegiance, one flag and one heart for the prosperity of all. Those whom God hath thus joined together let no man seek to alienate or put asunder!

"The relations which the southern states bear to the great questions of production and manufacture are of vital and overshadowing importance. Here stretches that mighty cotton belt which startled and revolutionized the trade of the world less than a century ago; whose fields, with their tinted blossoms, are richer and more valuable to mankind than all the mines of gold and diamond fields of the earth. It was once thought that the cotton plantation was dependent upon a certain system of labor. The rapidly increasing production of cotton during the last fifteen years has, to the joy of the world, exploded that error. It is the creature of intelligent industry by whomsoever bestowed. It invites the labor of every nativity and color, and remunerates them all.

"There is such a thing as fair play in the history of a people, and the time has now come for the south, in my opinion, to enjoy its fruits. There is a gigantic double profit within your reach if you will put forth your hands and take it. The profit of the producer you already have; the profit of the manufacturer—which enriches nations—is yours to command; it awaits your call, and if I mistake not the meaning of this day, the call has been made. Be assured that it will be answered. It is my fond hope and belief that he who is living twenty-five years hence will behold the transfiguration of the south. New industries, incoming capital, and teeming populations are in store for her future. The cotton belt proper, extending from North Carolina to Texas, will be studded with gems more resplendent than ever shone on the belts or diadem of royalty. Along the banks of southern streams, inlets and bays, new cities and villages will arise, sending to all the markets of the world the manufactured productions of the neighboring plains.

"The Creator has here spread His amplest bounties for the human race, and the south now for the first time, with the authority of circumstance and ceremony, invites the capital and labor of the world to assist in their development. Throughout all this vast extent of country, the capabilities of the south for cotton-raising and for manufacturing her own productions are practically without limit. There are young men and women now listening to me, who will as certainly behold a crop of twenty million bales in the future, as they have seen one of five millions in the past. And they will with the same certainty, behold the purchasers of the whole world coming here, not only for their supply of the raw material, but also for manufactured goods in such quantities as to rule all markets, foreign and domestic. Such is the great and puissant future which I foresee for the South, springing forward, as she now is, to grasp all the improvements, the inventions, and the progression of the present age, and all the benefits and blessings of her government.

"Sir, I come from the North-west, and I bring to you the hail of hope, good cheer, and American brotherhood from every true and manly heart in all that mighty region. A few moments more and the first world's fair on southern soil will begin its three months' career. All the nations will take note of the experiment. Your brethren of the East, of the North and of the West are looking on, hoping all things and believing all things favorable to its success. After a little while it will take its place in history, and from that point may a new era of national prosperity be opened before the American people, and may they be inspired with new and lasting affection for each other."

The ceremonies closed with a fitting poem by Paul H. Hayne, read by Col. N. J. Hammond,—a rare tribute to Atlanta, whose irrepressible enterprise has made this august achievement a success. The concep-

tion of an International Cotton Exposition belongs to Mr. Edward Atkinson, of Boston, Mass., and the original idea was to combine in one great display, every conceivable form of cotton production, manufacture and invention. This idea was soon enlarged, and the Exposition was broadened into a World's Fair. There was much competition for the Exposition between southern cities, and some very strong inducements held out, but Atlanta won it. On the 25th of February, 1881, the first meeting of business men was held in Atlanta, and a temporary organization was effected. A charter was procured and a permanent organization effected on the 16th of April. The enterprise was placed in the hands of an executive committee of 29 members. The committee was composed as follows:

H. I. KIMBALL, CHAIRMAN,	Atlanta.		
B. E. CRANE, CHAIRMAN, *pro tem.*	Atlanta.		
Joseph E. Brown,	Atlanta, Ga.	B. F. Abbott,	Atlanta, Ga.
S. M. Inman,	Atlanta, Ga.	T. G. Healey,	Atlanta, Ga.
J. W Ryckman,	Philadelphia, Pa.	W. C. Neff,	Atlanta, Ga.
R. J. Lowry,	Atlanta, Ga.	Jno. L. Hopkins,	Atlanta, Ga.
R. F. Maddox	Atlanta, Ga.	Jno. T. Henderson,	Atlanta, Ga.
W A. Moore,	Atlanta, Ga.	J. F Cummings,	Atlanta, Ga.
M. C. Kiser,	Atlanta, Ga.	Jas. R. Wylie,	Atlanta, Ga.
L. P Grant,	Atlanta, Ga.	J. C. Peck,	Atlanta, Ga.
Jno. A. Fitten,	Atlanta, Ga.	E. P. Chamberlin,	Atlanta, Ga.
P. D. Spalding,	Atlanta, Ga.	Edward Atkinson,	Boston, Mass.
Richard Peters,	Atlanta, Ga.	Cyrus Bussey,	New Orleans, La.
E. P. Howell,	Atlanta, Ga.	Richard Garsed,	Philadelphia, Pa.
Sidney Root,	Atlanta, Ga.	Jno. H. Inman,	New York.
J. W. Paramore,			St. Louis, Mo.

Mr. H. I. Kimball was made Director-General, and Mr. J. W Ryckman, editor of the *Textile Record*, the Secretary. The first President of the convention was Joseph E. Brown. He resigned on account of family affliction, and Gov. Alfred H. Colquitt was made the President. Mr. Kimball has an uncommon talent for enterprises of this kind, possessing energy, inventiveness and administrative faculty. Mr. Ryckman has been the right man in a responsible place. The committee has proven to be a body of extraordinary management. Mr. Kimball visited the North and West, and Hon. Thomas Hardeman the South and West, in the interest of the Exposition, addressing the Boards of Trade of the leading cities, and securing some $200,000 of subscriptions to the enterprise. The interest in it was general and profound. Business men took hold of it eagerly. Dr. H. V M. Miller was sent to Europe as agent of the Exposition.

Perhaps never, in the history of such enterprises, has there been anything to equal this one in the rapidity and completeness of its execution.

It is an unequaled monument of bold and immense business skill and energy. On the 30th of May, 1881, the contract was signed for the main building, which had been enlarged four-fold beyond the original size to suit the enlarged demand. On the 1st of June, ground was first broken, and in 108 days, to the 5th of October, 1881, when the Exposition was opened, buildings have been erected, furnishing twenty acres of exhibition space, eleven miles in circumference, using eight million feet of lumber, five miles of sewerage pipe and six miles of steam pipe. Beautiful grounds have been created. An hotel for the accommodation of 1,000 guests has been erected at the grounds.

The work done has been simply amazing. Over 2,000 exhibitors have sought space, and hundreds have been refused. Every kind of business is represented. Some exhibitors have expended $35,000 on their displays. The varied exhibition of general industries is complete. In executing the chief idea of the Exposition, the show of cotton, textile machinery, and the hundreds of appliances and processes that have grown out of the great staple all over the world, is something phenomenal. Seed of every kind of cotton grown in the world were obtained by telegraphic order by Mr. S. M. Inman, the Treasurer of the Exposition, and are planted and growing in the same field. There is cotton from India, from Hindoostan, from China, from Japan, from Australia, the North coast of Africa, Brazil, Chili, and the South Sea Islands, the Cape of Good Hope, Mexico, Central America, Bombay, and every other climate in which the cotton plant has ever been grown. Each plant preserves its characteristics admirably, and side by side may be seen cotton with the perfectly red flower growing ten feet high, and the stalks, with perfectly blue flowers, growing less than two feet high. There is the queer Chinese cotton with a pinched, contracted look that marks everything that comes from that country; the Peruvian cotton, with its flowers of Indigo and its small bolls; the Indian cotton, with its tropical appearance, but imperfect fruitage, and all of them with their various marks crowned by a few rows of our own, king of them all. Cognate to this, and a part of the same exhibition are bales and bags, and packages of cotton received from every country, in which cotton is handled, packed, or baled in the manner peculiar to each country. This exhibition of itself is a wonderful one, and shows that while the South may be ahead of all other sections in growing cotton, that there are older, if not wiser people, who know how to pack it better.

The display of cotton machinery is complete and instructive. Every process of manufacture is practically shown, and the aggregate in-

ventions of this keen-witted age are grouped together in the beneficent collision of peaceful rivalry for the benefit of all peoples and countries.

Among the most picturesque demonstrations, are those made by the great railroad systems, of the woods, minerals and agricultural productions of the country on their lines of track. States have made similar displays of their resources. It is impossible to enumerate the extent of this stupendous exhibition. It includes the commerce and manufactures of the world. Throngs of people are swarming to the Exposition, giving the supplement of a vast attendance to the supreme achievement. The problem of entertaining thousands of visitors in a city of 40,000 inhabitants, has been a critical one, but it has been nobly solved by hospitably throwing open the homes of the indomitable little metropolis to the inundation of welcome guests.

Reviewing the past of Georgia, impartially estimating her present importance and power, it requires no strain upon the imagination to lay down for her a great future. She seems to have been selected for unusual achievement. Her history glitters with incidents of moral and intellectual supremacy, some of them valuable and important, and freighted with associations of renown and humanitarian utility.

Georgia was the first and only free and anti-slave colony in America, and continued thus for a number of years, until the superior growth of the slave colonies around her necessitated a change. Her code of laws of 1799 was so wise and symmetrical that it was engrafted upon the hoary and venerable body of English jurisprudence. The first steamship that ever crossed the ocean sailed from Savannah, an instrumentality that has revolutionized the international commerce of the world. The first female college in the world, the Wesleyan Female College, was established at Macon, Georgia. The Cotton Gin, that omnipotent weapon of human benefit was invented in 1793, by Eli Whitney, near Savannah, on the plantation of Gen. Greene of revolutionary fame. And it is a fateful coincidence that our great International Cotton Exposition, the first of the world, now progressing in Atlanta, should be on Georgia soil, and the outcome of that wonderful invention of nearly a century ago that here found birth.

The first sewing machine was invented by a Georgian, Rev. F. R. Goulding, author of the "Young Marooners." The archives of the Georgia State Executive Department contain a letter written by James Longstreet, father of A. B. Longstreet, author of "Georgia Scenes," in 1793, to Edward Telfair, Governor of Georgia, asking his help to

equip the steamboat that he had invented, thus establishing Georgia's claim to the first invention of this benefaction.

The State has witnessed another incalculable contribution to the world's great benefits in the discovery, by Dr. Crawford W Long, a native of Athens, Ga., of ANÆSTHESIA, in 1842, who thereby takes rank among the benefactors of mankind. Science and humanity have determined that the two greatest boons conferred on mankind were vaccination and Anæsthesia. England gave the one and Georgia the other. The portrait of Dr. Long was presented to the State of Georgia by Mr. Stuart, and formally received by the General Assembly, and it now hangs in the Representative Chamber, in the State House in Atlanta, among the historic pictures of our distinguished men.

The four years before the war of 1861, the increase in the taxable wealth of Georgia was 176 millions of dollars, an astounding fact. In the slavery agitation preceding the war, Georgia was the leading instrumentality, and to Robert Toombs, of this State, is due above all others the responsibility for secession. The declaration of defiance for the South against the North was fulminated by Martin J. Crawford, a Georgian. The first act of war was by the Georgia Governor, Joseph E. Brown, in seizing Fort Pulaski. Georgia's reprisal upon New York through Gov. Brown evoked the attention of the Congresses of both governments. The shaping spirits of the Southern Confederacy were Georgians. Howell Cobb was President of the Convention, Thomas R. R. Cobb was Chairman of the Judiciary Committee, Francis S. Bartow was Chairman of the Military Committee, Alexander H. Stephens was Vice President of the new government, and Robert Toombs was premier of the President in the provisional, and the formative period of the permanent, Confederate governments. Mr. Stephens' great Corner Stone Speech put the world against the South on the slavery issue. Gov. Joseph E Brown made Georgia historic by his eloquent controversies with Mr. Davis and the Confederate administration upon the momentous issue of preserving the integrity of constitutional principle. Confederate States Senator, Benjamin H. Hill, became the strong prop of Mr. Davis in the closing years of the war, and another strong Georgian, Gen. A. R. Lawton, the administrator of the most important department of the Confederate service.

Georgia became the center of field supply, and of manufacture of army stores, as well as the main depository of Federal prisoners. Finally the chief battle ground was transferred to Georgia, and the decisive campaign of the struggle, resulting in the capture of Atlanta,

Sherman's March to the Sea, the annihilation of one of the twin armies of the Confederacy, and the destruction of the subsistence of the other, brought the war to its end. The first effort at peace was made by Gen. Sherman in this State. The Confederate administration drifted to and went to pieces in Georgia, the last order of the Confederate government was issued, and Mr. Davis, the President, was captured in Georgia. Georgia sent more troops to the field, lost more soldiers in battle, and sacrificed more property than any other Southern State. And a Georgia lady, Mrs. Mary A. Williams, was the originator of the Decoration Day custom, observed by both sections universally in paying honor to the dead of the war.

In the era of Reconstruction Georgia played a more potential part than any of her suffering sisters, undergoing three distinct and different rehabilitations, furnishing the most conspicuous champions for and against that motley experiment of governmental workmanship, fighting its abuses most stubbornly, focalizing the public attention most conspicuously, eliciting more of Congressional legislation, and finally regenerating with more sturdy vigor and superb recuperation than any other Confederate commonwealth. Since the complete restoration to her own State sovereignty in 1871, just ten years ago, Georgia has, in the liberality of her statesmanship and in material progress, outstripped all of her rivals. She is the first State of the Union in the extent and variety of her mineral and agricultural resources, the second State in the production of cotton and the first in the South in its manufacture. In education, in literature, in journalism Georgia has kept apace with the best progress of the age. In furnishing the railway genius of the South this commonwealth has had no rivalry, while in the colossal focalization of railroad capital and enterprise in her borders, that will bring a tidal wave of new population and boundless development, Georgia has had the most magnificent possible practical tribute to her unequalable supremacy. The prodigious power of these gigantic instrumentalities of commerce and increased production must give her irresistible capacities for growth and prosperity. Supplement this with the transcendent benefactions of the great Cotton Exposition now progressing, which will introduce this State to the world as the favored Southern home of *Cotton*, the imperial monarch, and surely no people or country will or can have the basis for a more august future.

But at last the proudest excellence of this commonwealth lies in her political, moral and Christian civilization. Lovers of constitutional government, devoted to a true, fraternal Union, loyal to law and liberty,

wedded to temperance and morality, cherishing the sanctity of home and imbued with the spirit of the genuine religion of the living God, her million and a half of God-loving people at last constitute the real greatness of Georgia. And most striking of all her glories, this State, so potential in severing the Union, is to-day, by her broad-hearted sentiments, her catholicity of patriotism, her genius for substantial enterprise and her elevated philanthropy, the dominant agency in re-uniting the broken brotherhood of States, in re-cementing the sundered sections of the nation, and in restoring the lost harmony of this mighty Republic.

Thus does the record close in 1881 for GEORGIA.

APPENDIX A.

GEORGIA OFFICERS

Who served in the Civil War of 1861–5 in the Confederate Service, including General and Regimental Field Officers and Captains.

The following list is admittedly incomplete and painfully imperfect. It was taken from the Confederate war records in the custody of the Federal Government at Washington, D. C., and has been enlarged and corrected as far as possible from the meager documents in the Georgia archives, and such personal information as has been obtainable and authentic. The war department of the Confederacy was most loosely run as far as its records are concerned. Regimental muster-rolls were curiously mingled and confused, very few of the constantly occurring changes in military organizations were noted, and altogether a haphazard and inaccurate method of clerical work seems to have prevailed.

It will be found in the following list, faithfully transcribed, that men's names are both wrongly spelled and omitted, and there has been no opportunity to rectify the one or supply the other. Gen. Marcus J. Wright, who is employed to edit the Confederate records, is giving to his important work in the War Archives office under Col. R. N. Scott, an intelligent and faithful industry, and is daily perfecting the Confederate war chronicles. But as his task covers the whole Confederacy, he can devote but a portion of his time to Georgia.

This list of our Georgia officers is given as a beginning, with the hope that in future editions, it may assume something like accuracy and completeness through the voluntary co-operation of the survivors of the Conflict. Those who have been omitted or improperly printed, can, by furnishing the author with the facts, appear as they should hereafter. And it would be well for commanding officers of organizations to communicate with Gen. Marcus J. Wright, at Washington, D. C., the facts about their commands, in order that the publication of Georgia's service and personelle in the great civil war, may be as complete as possible.

The writer is much indebted to Gen. M. J. Wright, for assistance in preparing this list, and also to Major Sidney Herbert, for valuable aid in making a full roster of Georgia general officers, and for the roster of Georgia West Point officers who entered the Confederate service. Major Herbert is a disinterested and pains-taking collector of valuable historical information as well as a graceful writer.

Georgia Generals.

ALEXANDER, E. PORTER
Capt. Corps of Engineers, C. S. A., April 2, 1861.
Chief of Ordnance, A. of N. Va., Aug. 1862.
Lt. Col. of Artillery, Dec. 31, 1861.
Colonel of Artillery, Dec. 5, 1862.
Chief of Artillery, Longstreet's Corps, Sept. 25, 1863.
Brig. Gen. of Artillery, Feb. 26, 1864.
(West Pointer and 2d Lt. Eng. Corps U. S. A.)

ANDERSON, C. D.
Brig. Gen. in Georgia State forces.

ANDERSON, GEORGE T.
Col. 11th Ga. Infantry, July 2, 1861.
Brig. Gen. P. A. C. S., Nov. 1, 1862.

ANDERSON, ROBERT H.
1st Lieut. Corps of Artillery, C. S. A., March 16, 1861.
Major 1st Batt. Ga. Sharp Shooters, June 20, 1862.
Col. 5th Ga. Cavalry, Jan. 20, 1863.
Brig. Gen. P. A. C. S., July 20, 1864.
(West Pointer and 2d Lt. Inf. U. S. A.)

AVERY, ISAAC W.
Private 8th Ga. Vol., May 21, 1861.
Capt. Ind. Cav. Co., Nov. 1, 1861.
Lt. Col. 23d Ga. Cav. Bat., Aug. 1862.
Col. 4th Ga. Cav., Nov. 1862.
Brig. Gen. P. A. C. S., Feb. 1865.

BARTOW, FRANCIS S.
Capt. 8th Ga. Vols., May 21, 1861.
Col. 8th Ga. Vols., May 1861.
Brig. Gen. P. A. C. S., 1861.

BROWNE, WILLIAM M.
Brigadier General.

BATTLE, CULLEN A.
——— General. A native Georgian, enlisting from Alabama.

BOWEN, JOHN S.
Major General.

BENNING, HENRY L.
Colonel.
Brig. Gen. P. A. C. S., Jan. 17, 1863.

BOGGS, W. R.
Capt. Corps of Engineers, 1861.
Brig. Gen. P. A. C. S., Nov. 4, 1862.
Chief of Staff to Gen. E. Kirby Smith.
(West Pointer and 1st Lt. Ord. U. S. A.)

BRYAN, GOODE
Col. 16th Ga. Infantry, Feb. 15, 1862.
Brig. Gen. P. A. C. S., Aug. 29, 1863. Resigned Sept. 30, 1864.

COBB, HOWELL
Col. 16th Ga. Infantry, July 15, 1861.
Brig. Gen. P. A. C. S., Feb. 13, 1862.
Maj. Gen. P. A. C. S., Sept. 9, 1863.

COBB, THOMAS R. R.
Col. Georgia Legion, Aug. 28, 1861.
Brig. General, Nov. 1, 1862.

CLAYTON, HENRY D.
Major General. A native Georgian enlisting from Alabama.

CARSWELL, R. W.
Brig. Gen. State forces.

COLQUITT, ALFRED H.
Col. 6th Ga. Infantry, May 27, 1861.
Brig. Gen. P. A. C. S., Sept. 1, 1862.
Major General, March 1865.

CAPERS, F. W.
Brig. Gen. State forces.

COOK, PHILIP
Col. 4th Ga. Infantry, Nov. 1, 1862.
Brig. Gen. P. A. C. S., Aug. 5, 1864.

CUMMING, ALFRED
Major Corps Inf. C. S. A., Mar. 16, 1861.
Lt. Col. 10th Ga. Regiment, June 1861.
Colonel " " Sept. 25, 1861.
Brig. Gen. P. A. C. S., Oct. 29, 1862.
(West Pointer and Capt. Infantry, U. S. A.)

DESHLER, JAMES
Brig. Gen. P. A. C. S., July 28, 1863.

DOLES, GEORGE, killed,
Col. 4th Ga. Infantry, May 8, 1861.
Brig. Gen. P. A. C. S., Nov. 1, 1862.

DU BOSE, DUDLEY M.
Col. 15th Ga. Infantry, Jan., 1863.
Brig. Gen. P. A. C. S., Nov. 16, 1864.

EVANS, CLEMENT A.
Major 31st Ga. Infantry, Nov. 19, 1861.
Col. " " May 13, 1862.
Brig. Gen. P. A. C. S., May 19, 1864.

GARDNER, W MONTGOMERY
Major Corps Inf. C. S. A., Mar. 16, 1861.
Col 8th Ga. Infantry, Aug 21, 1861.
Brig. Gen. P. A. C. S., Nov. 14, 1861.
(West Pointer and Capt. Infantry U. S. A.)

GARTRELL, LUCIUS J.
Col. 7th Ga. Inf., May 31, 1861. Resigned Dec., 1862.
Member of Confederate Congress.
Brig. Gen. P. A. C. S., Aug. 22, 1864.

GIRARDEY, VICTOR J. B.
Brig. Gen. P. A. C. S., July 30, 1864.

GORDON, JOHN B.
Lt. Col. 6th Ala. Infantry, Dec. 26, 1861.
Col. 6th Ala., April 26, 1862.
Brig. Gen. P. A. C. S., Nov. 1, 1862.
Major Gen., May 14, 1864.
Lt. Gen., 1865.

HARDEE, WILLIAM J.
Col. Corps of Cav. C. S. A., Mar. 16, 1861.
Brig. Gen. P. A. C. S., June 17, 1861.
Major Gen., Oct. 7, 1861.
Lt. Gen., Oct. 10, 1862.
Tendered full Generalship, 1864.
(West Pointer and Lt. Col. Cav. U. S. A.)

HARRISON, GEORGE P., JR.
Col. 32d Ga. Infantry.
Brig. Gen. P. A. C. S., Feb., 1865.

HARRISON, GEORGE P., SR.
Brig. Gen. State forces.

HOLTZCLAW, JAMES T.
Brig. Gen. A native Georgian, enlisted from Alabama.

HENDERSON, ROBERT J.
Colonel.
Brig. Gen., 1865.

JACKSON, HENRY R.
Brig. Gen. P A. C. S., June 4, 1861.
Resigned Dec. 2, 1861.
Major Gen. State troops, Dec., 1861.
Re-appointed Brig. Gen. P. A. C. S., Sept. 21, 1863.

JACKSON, JOHN K.
Col. 5th Ga. Infantry, 1861.
Brig. Gen. P. A. C. S., Jan. 14, 1862.

JONES, DAVID R.
Brig. Gen. P. A. C. S., June 17, 1861.
Major Gen., Oct. 11, 1862.
(West Pointer and Capt. in Adj. Gen. Dept. U. S. A.)

IVERSON, ALFRED, JR.
Brig. Gen. P. A. C. S., 1863.
(1st. Lt. Cav. U. S. A.)

LAWTON, ALEXANDER R.
Brig. Gen. P A C. S., April 13, 1861.
Quarter Master Gen. C. S., August, 1863.
(West Pointer.)

LONGSTREET, JAMES
Lt. Col. Corps Inf. C. S. A., Mar 16, 1861.
Brig. Gen. P. A. C. S., June 17, 1861.
Major Gen., Oct. 7, 1861.
Lt. Gen., Oct. 9, 1862.

MARTIN, JAMES B.
Brig. Gen. A native Georgian enlisting from Alabama. Killed.

MCLAWS, LAFAYETTE
Major Corps Inf. C. S. A., Mar. 10, 1861.
Col. 10th Ga. Infantry, June 17, 1861.
Brig. Gen. P. A. C. S., Sept. 25, 1861.
Major Gen., May 23, 1862.
(West Pointer and Capt. Inf. U. S. A.)

MERCER, HUGH W
Brig. Gen. P. A. C S., Oct. 29, 1861.

MCCOY, H. K.
Brig. Gen. State troops.

PHILLIPS, WILLIAM
Brig. Gen. State troops.

PHILLIPS, R. J.
Brig. Gen. State troops.

PERRY, WILLIAM F
Brig. Gen. P A. C. S. A native Georgian enlisting from Florida.

PRATHER, J. S
Brevet Brigadier.

SEMMES, PAUL J.
Col. 2nd Ga. Inf., May 7, 1861.
Brig. Gen. P A. C. S., Mar. 11, 1862.

SIMMS, JAMES P
Brig. Gen. State troops.

SMITH, W. D.
Capt. Corps Cavalry, C. S. A., Mar. 16, 1861.
Col. 20th Ga. Reg., July 14, 1861. Brig. Gen. P. A. C. S., March 7, 1862. Died.

SORREL, G. MOXLEY
Chief of Staff to Gen. Longstreet.
Brig. Gen. P A. C. S.,Oct. 27, 1864.

ST. JOHN, ISAAC M.
Capt. Corps Engineers C. S. A., Feb. 15, 1862.
Major Artillery, Head Nitre and Mining Bureau, April 18, 1862.
Lt. Col. Mining Corps, May 23, 1863.
Brig. Gen. P. A. C. S., and Commissary General, C. S., Feb. 16, 1865.

STOVALL, MARCELLUS A.
Lt. Col. 3rd Ga. Bat. Inf., Oct 8, 1861.
Brig. Gen. P. A. C. S., January 30, 1863.

THOMAS, EDWARD L.
Col. 35th Ga. Inf., Oct. 15, 1861.
Brig. Gen. P. A. C. S., Nov. 1, 1862.

THOMAS, BRYAN M.
Col. of 51st Tennessee, 13. Alabama and Cavalry Regiments.
Brig. Gen. P. A. C. S., Aug. 1864.
(West Pointer and 2nd Lt. Inf. U. S. A.)

TRACY, EDWARD D.
Brig. Gen. P. A. C. S. Killed.

TOOMBS, ROBERT
Brig. Gen. P. A. C. S., July 19, 1861. Resigned Mar. 4, 1863.
Secretary of State to President Davis.

TWIGGS, DAVID E.
Major General P. A. C. S., May 22, 1861. Died July 15, 1862.

WALKER, WM. H. T.
Brig. Gen. P. A. C. S., May 25, 1861. Resigned Oct. 29, 1861.
Brig. Gen. State troops, Dec. 1861. Reappointed Brig. Gen. P. A. C. S., Feb. 9, 1863. Major Gen. May 23, 1863. Killed.
(West Pointer and Bat. Lt. Col. Inf. U. S. A.

WAYNE, HENRY C.
Major General State troops and Adjutant General of Georgia.
(West Pointer and Brevet Major, U. S. A.)

WALKER, W. S.
Brig. Gen. P. A. C. S.

WRIGHT, GIDEON J.
Brig. Gen. State troops.

WRIGHT, AMBROSE R.
Col. 30th Ga. Inf., May 8, 1861.
Brig. Gen. P. A. C. S., June 3, 1862.
Major Gen., Nov. 26, 1864.

WILSON, CLAUDIUS C.
Col. 25th Ga. Inf., Sept. 2, 1861.
Brig. Gen. P. A. C. S., Nov. 16, 1863.

WILLIS, EDWARD
Colonel.
Brig. Gen. P. A. C. S. Killed.

WHEELER, JOSEPH
Captain and Colonel, 1861.
Brig. Gen. P. A. C. S., Oct. 30, 1862.
Maj. Gen., Jan. 30, 1863.
Lt. Gen., Feb. 28, 1865.
(West Pointer and 2nd Lt. Mounted Riflemen, U. S. A.)

YOUNG, P. M. B.
Major Ga. Legion, Sept. 5, 1861.
Lt. Col., Nov. 15, 1861.
Col. Cobb's Legion, Nov. 1, 1862.
Brig. Gen. P. A. C. S., Sept. 28, 1863.
Maj. Gen., Dec. 30, 1864.

ZACHARY, C. T.
Col. 27th Georgia Inf., 1861.
Brig. Gen. P. A. C. S., March, 1865.

West Point Georgia Students who entered the Confederate Army and served below the Rank of General.

Andrew J. Ford, Capt. and Asst. Surg.
Abraham B. Ragan, Major and Paymaster.
John T. Mercer, Col. 21st Ga. Inf.
Leroy Napier, Jr.
William D. Smith.
John R. Church.
Geo. A. Cunningham.
Abner Smead.
St. Clair Dearing.
Owen F. Solomon.
Edward F. Bagley.
Alexander B. Montgomery.
Aurelius F. Cone.
Arthur Shaaf.

Georgians on the Federal Side in the War.

Brig. Gen. Brevet, Maj. Gen M. C. Meigs, Quarter Master Gen. U. S. A.
Col. and Bvt. Brig. Gen. John M. Cuyler, Surgeon, U. S. A.
Col. and Bvt. Brig. Gen. Henry D. Wallen, U. S. A.
Brig. Gen. George F. B. Dandy, Quarter Master Dept. U. S. A.
Capt Mason Carter, 5th Inf.
Lt. Col. Julian McAllister, Ordnance Dept. U. S. A.

INFANTRY

1st *Georgia Regulars, Infantry.*

Colonel Chas. J. Williams, Resd.
" Wm. J. Magill.
" R. A. Wayne.
Lieutenant Colonel Wm. J. Magill.
" " Wm. Martin.
" " R. A. Wayne.
" " Miller Grieve.
Major John D. Walker.
" R. A. Wayne.
" Miller Grieve.
" A. A. F. Hill.
Assistant Quarter Master L. De Laigle.
" " " W W. Paine.
Captain (E) R. A. Wayne.
" (E) J. R. Du Bose.
" (F) J. G. Patten.
" (H) M. Grieve.
" (I) L. H. Kenan
" (L) A. M. Wallace.
Captain (C) H. A. Cannon.
" (M) A. A. F. Hill.
" (G) J. G. Montgomery.
" (D) John Milledge.
" (A) H. H. D. Twiggs.
" T. Fort.
" G. W. Anderson.
" John Howard.
" E. P. Bowdre,
" W W. Paine.
" R. H. Atkinson.
" F. M. Myers.
" Thos. Burdell.
" Chas. L. Wylly.
" B. H. Hudson.
" J. D. Anthony.
" (B) Wm. Martin.
" (K) Jacob Read.

1st *Georgia Volunteers, Infantry.*

Colonel J. N. Ramsay.
Lieutenant Colonel Geo. H. Thompson.
Major Jas. W. Anderson.
Captain (A) Geo. M. Harvey.
" (B) T. G. Wilkins.
" (C) John A. Houser.
" (D) H. B. Adams.
Captain (E) S. A. M. Jones.
" (F) C. A. Stone.
" (G) John W Evans.
" (H) T. B. Cabaniss.
" (I) Samuel H. Crump.
" (K) J. S. Pinkard.

1st *Georgia Volunteers, Infantry*—510 (2d.)

Colonel Charles H. Olmstead.
Lieutenant Colonel W. S. Rockwell.
" " M. J. Ford.
Major W. J. Ford.
A. C. S., E. W. Drummond.
Assistant Quarter Master E. Hopkins.
" " " F. M. Hull.
Adjutant M. H. Hopkins.
Captain (A) J. H. Flannery.
" (B) David O'Connor.
" (B) James Dooner.
" (C) J. W. Anderson.
Captain (C) G. W Anderson.
" (D) S. Y. Levy.
" " P. C. Elkins.
" (E) J. M. Doherty.
" (F) J. S. Turner.
" (G) A. C. Davenport.
" (G) G. Eberhart.
" (H) F. W Sims.
" (H) J. Lachlison.
" (I) C. Werner, Kd.
" (I) C. A. H Umbach.
" (K) John Cooper.

2d *Georgia Infantry, Volunteers*—750.

Colonel Paul J. Semmes.
" Edgar M. Butt.
Lieutenant Colonel Skidmore Harris.
" " W T. Harris, Kd.
" " Wm R. Holmes, Kd
" " W S. Shepperd.
Major Edgar M. Butt.
" W S. Shepperd.
" Wm. T. Harris.
Major W. W. Charlton.
" A. M. Lewis.
Assistant Quarter Master Jas. Houston.
A. C. S S., G. W. Dillingham.
Adjutant W. Redd.
Captain (A) D. G. Candler.
" (B) Wm. T Harris.
" (C) Wm. S. Shepperd.
" (D) Wm. R. Holmes.

Captain (E) W. A. Campbell.
" (F) Thos. E. Dickerson.
" (G) Roswell Ellis.
Captain (H) Jesse A. Glenn.
" (I) Charles R. Wiggins.
" (K) Jared J. Ball.

2d Georgia Volunteers, Reorganized.

Captain (A) W. W Charlton.
" (A) John W Owens.
" (B) A. McLewis.
" (C) W. S. Shepperd.
" (C) Robert Howard.
" (D) W. A. Thompson, Kd.
Captain (E) T. J Morris.
" (F) A. B. Shuford, Kd.
" (G) T. Chaffin.
" (H) B. L. Hancock, Kd.
" (I) Jno. T. Maddox.
" (K) J. B. Newell.

3d Georgia Infantry, Volunteers—1145.

Colonel Ambrose R. Wright.
" Edward J. Walker.
Lieutenant Colonel James S. Reid.
" " R. B. Nesbit.
" " C. Snead.
Major Augustus H. Lee.
" John R. Sturgis, Kd.
" A. B. Montgomery, detailed with regiment.
Major John F. Jones.
" G. E. Hayes.
A. C. S., H. S., Hughes.
Assistant Quarter Master, A. Phillips.
Adjutant W. W. Turner.
Adjutant J. B. Habersham.
" J. W. Perry.
" S. L. Alexander.
Captain (A) Wm. C. Musgrove.
" (B) R. B. Nisbet.
" (C) R. L. McWhorter.
" (D) C. H. Andrews.
" (E) J. R. Griffin.
" (F) Wm. O. Beall.
" (G) Edward J Walker.
" (H) John F. Jones.
" (I) N. A. Carswell.
" (K) H. C. Billups
" (L) Jas. W Hendon.

3d Georgia Volunteers, Reorganized—1064.

Captain (A) S. A. Corker.
" (B) R. B. Nisbet.
" (B) John S. Reid.
" (C) J. T. Geer.
" (D) C. H. Andrews.
" (E) J. A. Hamilton, Kd.
" (E) G. W. Allen.
" (E) J. G. Royal.
" (F) J. M. Waters.
" (F) J. A. Mason.
" (G) E. J. Walker.
Captain (G) C. Snead.
" (H) John F. Jones.
" (H) L. F. Luckie.
" (H) J. H. Evans.
" (I) N. A. Carswell.
" (K) H. C. Billups.
" (K) D. B. Langston.
" (I) J. J. McRee, Kd.
" (I) W H. Beardeu.
" (I) H. J. Hughes.

4th Georgia Infantry, Volunteers—870.

Colonel George Doles.
" Philip Cook.
" W H. Willis.
Lieutenant Colonel John J. Matthews.
" " W T Jordan.
" " Philip Cook
" " David R. E. Winn.
Major Charles L. Whitehead.
" Wm. F. Jordan.
" David R. E. Winn.
" R. S. Smith.
" Edwin A. Nash.
" F. H. de Graffenreid.
" Wm. H. Willis.
A. C. S., J. B. Morgan.
A. C. S., Jas. F. Murphy.
Assistant Quartermaster H. R. Daniels.
" " " Wm. H. Tinsley.
Adjutant Philip Cook.
" A. J. Roberts.
Captain (A) B. Cusley.
" (B) Robt S. Smith.
" (C) Ed. A. Nash.
" (D) Geo. F. Todd.
" (E) Y G. Rust.
" (F) B. R. Mayes.
" (G) Geo. F. Bartlett.
" (H) Same M. Prothro.
" (I) Wm. L Johnson.

4th Georgia Volunteers, Reorganized—720.

Captain (A) J. P. Strickland.
" (A) Jas. H. Weeks.
" (B) R. S. Smith.
" (B) M. H. Hill.
" (B) A. C. Gibson.
" (C) E. A. Nash.
" (C) Geo. F. Todd, Dd.
" (C) A. C. Frost.
" (E) Wm. E. Smith.
" (E) F. H. de Graffenseid.
" (F) Geo. G. Carey.
Captain (F) Jas. F. Sullivan.
" (K) D. R. E. Winn.
" (K) R M. Bisel, Kd.
" (G) Wm. F. Jordan.
" (G) John T. Lang, Dd.
" (G) C. R. Ezell
" (H) J. W Caraker.
" (H) Wallace Butts.
" (I) S. M. Prothro.
" (I) Wm. H. Willis.

5th Georgia Infantry, Volunteers—825.

Colonel John K Jackson.
" Saml. W. Mangham.
" Wm. F Black.
" Wm. T. Beach.
" Chas. P. Daniel.
Lieutenant Colonel Thos. Beall.
" " Charles R. Day.
" " John F. Iverson.
Major Wm. L. Salisbury.
" Charles P. Daniel.
" D. H. Ansley.
" W. B. Hundley.
A. C. S., H. B. T. Montgomery.
Assistant Quartermaster, Jas. M. Cole.
Adjutant R S. Cheatham.
Captain (A) Charles A. Platt.
" (B) Saml. W. Mangham.
" (C) John H. Hull.
" (D) Ed. H. Pottle.
" (E) C. B. Wootten.
" (F) William H. Lang.
" (G) William J. Sears.
" (H) Hugh M. King.
" (I) John T. Iverson.
" (K) William J. Horsley.

5th Georgia Volunteers, Reorganized—424.

Captain (A) D. H. Ansley.
" (C) H. P Steeney.
" (D) Ulm B. Hundley.
" (F) John F. Kiddor.
Captain (G) John J. Hurt.
" (H) Stephen R. Weston.
" (I) John F. Iverson.
" (K) Wm. G. Horsley.

6th Georgia Infantry, Volunteers—849.

Colonel A. H Colquitt.
" J. T. Lofton.
" S. W Harris.
Lieutenant Colonel James M. Newton, Kd.
" " W C. Cleveland.
" " J. T. Lofton.
" " S. W. Harris.
" " W M. Arnold, Kd.
Major Phil Tracy, Kd.
" C. D. Anderson.
" W. C. Cleveland.
" W M. Arnold.
" J. M. Culpepper.
A. C. S., T. J. Collier.
A. Q. M., R. N. Ely.
Adjutant B. Russell.
Adjutant J. H. Rogers.
Captain (A) W. M. Arnold.
" (B) John Hanna.
" (B) W M. Tidwell.
" (C) C. D. Anderson.
" (C) J. M, Culpepper.
" (D) J. D. Watson.
" (D) S. M. Ralston.
" (E) W C. Cleveland.
" (F) E. H. Shackelford.
" (G) John T. Griffin.
" (H) W L. Plaine.
" (H) B. J. Russell.
" (I) J. A. Barclay.
" (K) J. T. Lofton.
" (K) S. W Harris.

7th Georgia Infantry, Volunteers—891.

Colonel L. J. Gartrell.
" W T. Wilson.
" W. W White.
Colonel G. H. Carmichael.
Lieutenant Colonel John Dunwoody.
" " W W White.

Lieutenant Colonel George H. Carmichael.
" " M. T. Allman.
Major L. B. Anderson.
" E. W. Hoyle.
A. C. S., W J. Wilson.
A. Q. M., R. R. Holliday.
Adjutant E. W Hoyle.
" J. E. Shaw.
Captain (A) G. H. Carmichael.
Captain (B) G. J. Foreacre.
" (C) C. S. Jenkins.
" (D) J. B. Lindley.
" (E) John W. Fowler.
" (F) Eli Benson.
" (G) C. N. Featherston.
" (H) Thos. E. King.
" (I) Wm W. White.
" (K) W J. Ballard.

7th Georgia Volunteers, Reorganized—624.

Major G. H. Carmichael.
" H H. Wiet.
" John Kizer.
" T. S. Hartridge.
" M. T. Allman.
A. Q. M., B E. Henry.
Captain (A) G. H. Carmichael.
" (B) H. H. Wiet.
" (C) D. T. Peek, Kd.
Captain (C) I. M. Holcombe.
" (D) J. Kizer.
" (D) T. J. Hartridge.
" (E) W. W. Bradberry.
" (F) J. C. Wadkins.
" (G) M T. Allman.
" (H) R. B. Hicks.
" (I) W W. White.
" (K) Jno. McLendon.

8th Georgia Infantry, Volunteers—745.

Colonel F. S. Bartow, Kd.
" Wm. M Gardner.
" L. M. Lamar.
" John R. Towers.
Lieutenant Colonel John R. Towers.
" " E. J. Magruder.
Major E J. Magruder.
" George O. Dawson.
Surgeon H. V. M. Miller.
A. C. S, George C. Norton.
A. Q. M., E A. Wilcox.
Adjutant J. L. Branch, Kd.
" A. R. Harper.
" W F. Shellman.
Captain (A) E. J. Magruder.
" (A) S. H. Hall.
" (B) A. F Butler.
" (B) J. H. Couper.
" (B) J. West.
" (C) H. J. Menard.
" (D) H. E. Malom.
" (E) D. Scott.
" (F) J. T. Lewis.
" (G) T. D. L. Ryan.
" (H) George N. Yarborough.
" (I) George O. Dawson.
" (K) Jacob Phinizy.
" (K) T. J. Bowling.

9th Georgia Volunteers, Infantry.

Colonel E. R. Goulding.
" R. A. Turnipseed.
" Ben Beck.
" E. F. Hoge.
Lieutenant Colonel R. A Turnipseed.
" " John C. Mounger.
" " E. F. Hoge.
" " J. G. Webb.
Major John C. Mounger.
" W M. Jones.
" C. J. Webb
" J. W Arnold.
A. C. S., J. C. Waddy.
A. C. S., R. J. Cowart.
A. Q. M , J. W Sutton.
A. Q. M., E. P Watkins.
Adjutant A. O. Bacon.
" John Jones.
Captain (*A) John Lane.
" (A) Gideon J. Norman.
" (B) Wm. M. Jones.
" (B) Wm. E. Cleghorn.
" (C) George Hillyer.
" (C) J. W Arnold.
" (D) J. G. Webb.
" (D) T. A. Hurt.
" (E) P A. S. Morris.
" (E) R. P. Wellborn.
" (F) S. A. Jemison.
" (F) Ben Beck.
" (F) Hamp Doles.
" (G) E. F. Hoge.
" (G) G. G. Gordon.
" (G) E. A. Sharpe.
" (H) John C. Mounger.

*Transferred to Artillery.

Captain (H) R. A. Hardee.
" (H) S. D. Corker, Kd.
" (H) T. J. Hardee.
" (I) L. C Belt.
" (I) R. V Fulcher.
Captain (I) Thomas Rought.
" (K) J. M. D. King, Dd.
" (K) N. C. Duncan.
" (K) M. E. Sparks.

10*th Georgia Volunteers, Infantry*—808.

Colonel Lafayette McLaws.
" Alfred Cumming.
" John B. Weems.
" W C. Holt.
" A J. McBride.
Lieutenant Colonel J. B. Weems.
" " Willis C. Holt.
" " C. C. Kibbee.
Major R. R. Hawes.
" Willis C. Holt.
" P. H. Loud.
A. C. S., G. H. Cheever.
A. Q. M., S. T. Neal.
Adjutant R. G. Strickland.
" John H. Dobbs.
Captain (A) O. S. Kimbrough.
Captain (B) C. H. Phinizy.
" (B) A. P Boggs.
" (B) W. S. Davis.
" (C) Willis C. Holt.
" (C) J. W Neil.
" (D) Henry L. Leon.
" (E) Andrew J. McBride.
" (F) Wm. F. Johnston.
" (F) W G. Green, Dd.
" (F) T. H. Wood.
" (G) C. C. Kibbee.
" (H) P. H. Loud.
" (H) E. M. Foster.
" (I) Y L. Wootton.
" (K) J. P. W. Read.
" (K) T. C. Cone.

11*th Georgia Volunteers, Infantry*—750.

Colonel George T. Anderson.
" F H. Little.
Lieutenant Colonel Theo L. Guerry.
" " Wm. Luffman.
Major Wm. Luffman.
" W R. Welsh.
" H. D. McDaniel.
" C. T. Goode.
A. C. S, Hockenhull.
Assistant Quarter-master J. Guthrie.
Adjutant J. F. Green.
Captain (A) Wm. H. Mitchell, Kd.
" (B) J. W Stokes.
Captain (C) Wm Luffman.
" (C) W. R. Ramsay.
" (D) W R. Welsh.
" (E) S. C Dobbs.
" (F) J. D. Hyde.
" (F) J. W Johnston.
" (G) John Y. Wood.
" (H) M. T. Nunnally, Kd.
" (H) E. C. Arnold.
" (I) Samuel Thatcher, Dd.
" (I) F. M. Bledsoe.
" (I) E. B. Brannan.
" (K) G. W. Wimberly.

12*th Georgia Infantry, Volunteers*—745.

Colonel Edward Johnson.
" Z. F. Conner.
" Edward Willis, Kd.
Lieutenant Colonel Abner Snead.
" " F B. Scott, Kd.
" " Willis A. Hawkins.
" " Mark H. Blanford.
" " J. Hardeman.
Major Willis A. Hawkins.
" Edward Willis.
" J. Hardeman.
" J. T. Carson.
Captain (A) Samuel Dawson, Kd.
" (A) S. G. Prior.
" (B) Isaac Hardeman.
" (B) Jos. N. Beall.
Captain (C.) John McMullan, Kd.
" (C) T. W. Harris.
" (D) Wm. L. Furlow, Kd.
" (D) D. D. Peden.
" (E) T. B Scott.
" (E) Jas. A. Whitesides.
" (F) Wm. F Brown, Kd.
" (F) Jas. Everett.
" (G) R. T. Davis, Dd.
" (G) A. S. Reid.
" (H) J. G. Rodgers.
" (H) O. T. Evans.
" (I) J. W Patterson, Kd.
" (I) James M. Briggs.
" (K) Mark H. Blanford.
" (K) R. McMichael.

13*th Georgia Infantry, Volunteers*—947.

Colonel Walker Ector, Dd.
" Marcellus Douglass, Dd.
" James M. Smith.
Lieutenant Colonel James M. Smith.
" " John H. Baker.
Major James M. Smith.
" John H Baker.
A. C. S., J. H. Mangham.
A. Q. M., M. Gomerly.
Adjutant O. K. Walker.
Captain (A) J. H. Mitchell.
Captain (B) James McCanley.
" (C) J. L. Moore.
" (D) W. W Hartsfield.
" (E) W A. Clarke.
" (E) B. P. Brooks.
" (F) S. W Jones.
" (G) J. T. Crawford.
" (H) Rich Maltba.
" (I) E. W Robinson.
" (K) J. A. Long.

14*th Georgia Infantry, Volunteers*—770.

Colonel A. V Brumby.
" Felix Price
" Robert W Folsom.
" R. P Lester.
Lieutenant Colonel R. W. Folsom.
" " W A. Harris.
" " James M. Fielder.
" " R. P. Lester.
" " W L. Goldsmith.
Major W A. Harris.
" James M. Fielder.
" R. P. Lester.
" W. L. Goldsmith.
" C. C. Kelly.
A. C. S., T. C. Moore.
A. Q. M., E. A. Heggis.
Adjutant A. Talliaferro.
" T. C. Moore.
Captain (A) J. H. Etheridge, Kd.
Captain (A) J. W Mayes.
" (B) C. C. Kelly.
" (B) W N. Ryle.
" (C) L. A. Lane.
" (D) James M. Fielder.
" (E) R. P. Lester.
" (E) S. B. David
" (E) R. N. Rogers.
" (F) R. P. Harman, Kd.
" (F) W O. Clegg.
" (F) J. H. Hicks
" (G) William A. Harris.
" (G) T. T. Mounger.
" (H) Thos. M. Yopp, Cashd.
" (H) H. B. Smith
" (I) R. W. McMichael, Kd.
" (K) W L. Goldsmith.
" (K) R. A. Holt.
" (K) J. M. Evans.

15*th Georgia Volunteers, Infantry*—660.

Colonel T. W Thomas.
" William T. Millican.
" D. M. DeBose.
Lieutenant Colonel W M McIntosh, Kd.
" " T. J. Smith.
Major T. J. Smith.
" P. J. Shannon.
A. C. S., J. H. Willis.
A. Q. M., H. W Forbes.
Adjutant B. H. Lofton.
" L. Pierce.
Captain (A) A. B. Cade.
" (A) J. S. Callaway.
" (B) William T. Millican.
Captain (C) L H. O. Martin.
" (C) W J. Willis.
" (D) S. J. Farmer.
" (D) S. J. Flynt.
" (E) T J. Smith
" (F) John C Burch.
" (G) S. Z. Hearnesberger.
" (H) William R. Poole.
" (H) T. H. Jackson.
" (I) William H. Mattox.
" (I) J. A. Gaines.
" (K) J. L. Culver.
" (K) Mark Latimer.

16*th Georgia Volunteers, Infantry*—865.

Colonel Howell Cobb.
" Goode Bryan.
" James S. Gholston.
Lieutenant Colonel Goode Bryan.
" " Henry P. Thomas, Kd.
" " B. E. Stiles.
Major H. P. Thomas.
" James S Gholston.
" J. H. Skelton.
A. C. S., L. McGuire.
A. Q. M., R. Thomas.
Adjutant T. W. Cumming.

Captain (A) J. S. Gholston.
" (A) H. C. Nash, Kd.
" (A) J. M. Sims.
" (B) A. M. Reynolds, Kd.
" (C) J. H. Skelton.
" (D) J. N. Montgomery.
" (E) B. E. Stiles.
Captain (F) J. H. D McRae.
" (G) A. C. Thompson.
" (H) N. Reeder.
" (H) H. M. Richardson.
" (I) N. L. Hutchins.
" (K) R. J. Boyd.

17*th Georgia Infantry, Volunteers*—626.

Colonel H. L. Benning.
" Wesley C. Hodges.
Lieutenant Colonel W C. Hodges.
" " Chas. W. Matthews, Kd
" " W. A. Barden.
Major Thomas Walker.
" J. H. Pickett.
" W. A. Barden.
" J. B. Moore.
A. C. S, G. H. King.
A. Q. M., T. C. Shorter.
Adjutant T. A. Klink.
Captain (A) D. B. Harrell.
" (A) D. H. Wilmot.
" (B) H. L. French.
" (C) F. S. Chapman.
" (C) J. B. Moore.
Captain (D) C. G. Campbell.
" (D) V. A. S. Parks.
" (D) J. H. Martin.
" (E) John A McGregor.
" (E) J. N. Tyers.
" (F) D. B. Thompson.
" (F) H. McCauley.
" (F) J. H. Weeks.
" (G) Aug. C. Jones, Kd.
" (G) A. B. Nichols.
" (H) R. E. Kemon.
" (H) W. A. Barden.
" (I) C. W. Matthews.
" (K) John H. Pickett.
" (K) A. M. Jones, Kd.
" (K) M. H. Marshall.
Ensign B F. Shivers.

18*th Georgia Infantry, Volunteers*—750.

Colonel William T Wofford.
" S. Z. Ruff, Kd.
" Jos. Armstrong.
Lieutenant Colonel S. Z. Ruff.
" " F M. Ford.
Major Jefferson Johnson.
" J. A. Stewart.
" W. G Gallahan
Captain (A) J. B. O'Neill.
" (B) J. A. Stewart.
Captain (C) D. L. Jarratt.
" (D) S. D. Irvin.
" (E) E. J. Starr.
" (F) J. C. Roper.
" (G) J. C. Maddox.
" (H) F. M. Ford.
" (I) Jos. Armstrong.
" (K) Jno. A. Crawford.
" (K) W Brown.
" (K) L. C. Weems.

19*th Georgia Infantry, Volunteers*—752.

Colonel W W Boyd.
" Andrew J. Hutchins.
" J. H. Neal.
Lieutenant Colonel Thos. C. Johnson.
" " A. J. Hutchins.
" " Jas. H. Neal.
" " T. W Flynt.
" " R. B. Hogan.
Major A. J. Hutchins.
" J. H. Neal.
" J. W. Hooper.
" C. W. Mabry.
" Wm. Hamilton.
Adjutant Jas. P. Perkins.
" S. G. Turner.
Captain (A) F M. Johnston.
" (B) Jas. H. Neal.
Captain (B) John Keely.
" (C) J. J. Beall.
" (C) R. B. Hogan.
" (D) Jas. D. Hunter.
" (E) Chas. W Mabry.
" (E) D. H. Sims.
" (F) Wm E. Curtis.
" (F) A. H. Black.
" (F) Wm. Hamilton.
" (G) Tilman W Flynt.
" (H) John B. Beall.
" (I) John T. Chambers.
" (K) John W Hooper.
" (A) John Morrison.
" (B) Jas H. Neal.
" (B) Denis S. Myers.
" (C) A. J. Richardson.

Captain (G) —— Elliott, Kd.
" (H) J. W. Neally.
" (I) T. W Abercrombie.
Captain (I) —— Lalor.
" (K) A. J. Rowe.

20*th Georgia Infantry, Volunteers*—764.

Colouel W. D. Smith.
" J. B. Cumming.
" J. D. Waddell.
Lieutenant Colonel J. B. Cumming.
" " John A. Jones, Kd.
" " E. M. Seago.
Major John A. Jones.
" Roger L. Gamble.
" J. D. Waddell.
" Wm. Craig.
Adjutant J. O. Waddell.
Captain (A) A. B. Ross.
" (B) John A. Strother.
" (C) Roger L. Gamble.
" (D) Jas. D. Waddell.
" (E) R. D. Little.
" (F) E. M. Seago.
" (G) John R. Ivey.
" (H) J. A. Coffee.
" (I) Van A. Leonard.
" (I) C. B. Minis.
" (K) Wm. Craig.

21*st Georgia Infantry, Volunteers*—749.

Colonel John T. Mercer, Kd.
" Thomas W Hooper.
Lieutenant Colonel James J. Morrison.
" " Thomas W Hooper.
" " T. C. Glover.
Major T. W Hooper.
" T. C. Glover.
" M. Lynch.
Adjutant T J. Verdery.
" L. F. Bakewell.
Captain (A) T. C. Glover.
" (A) W. M. Butt, Kd.
Captain (B) A. S. Hamilton.
" (C) J. F. Woddail, Kd.
" (D) H. T. Battle.
" (E) J. R. Hart.
" (F) John T. Boykin.
" (G) Wesley Kinman.
" (G) N. B. Hudgins.
" (H) Jas. C. Nisbet.
" (H) John B. Countiss.
" (I) Michael Lynch.
" (K) John B. Akridge.

22*nd Georgia Infantry, Volunteers*—805.

Colonel Robert H. Jones.
" George H. Jones.
Lieutenant Colonel T. W. Pritchett.
" " Joseph Wasden, Kd.
Major J. Wasden.
" Lawrence D. Lallerstedt.
Adjutant I. A. Girardeau.
" S. L. Bedell.
" J. D. Daniel.
Captain (A) L. D. Lallerstedt.
" (A) G W. Rush. Kd.
" (B) Thomas S. Hundley.
" (B) J. W Walker.
" (B) F. M. Heath.
" (B) I. C. A. Beall
" (C) B. C. McCurry.
" (D) John Gibson.
Captain (D) J. N. Mercier.
" (E) H. N. Howell.
" (E) J. D. Foster.
" (F) P. E. Willis.
" (G) J. J. Jones.
" (G) W. F. Jones, Dd.
" (G) G. W. Thomas.
" (H) J. D. W McDonald.
" (H) F. M. Connally.
" (H) J. W Leonard, Kd.
" (H) H J. L. Beall.
" (I) George H. Jones.
" (I) A. B. Rodgers.
" (K) J. T. Albert, Kd.
" (K) J. W Callaway, Kd.
" (K) F. M. Clayton.

23*rd Georgia Infantry, Volunteers*—811.

Colonel Thomas Hutcherson.
" W. P. Barclay, Kd.
" Emory F Best.
" J. H. Huggins.
" M. R. Ballenger.
Lieutenant Colonel W P. Barclay.
Lieutenant Colonel E. F. Best.
" " James H. Huggins.
" " M. R. Ballenger.
" " J. J. A. Sharp.
Major E. F. Best.
" J. H. Huggins.

Major M. R. Ballenger.
" J. J. A. Sharp.
" W. J. Boston.
Adjutant C. Saunders.
" E. Fort.
Captain (A) Ben G Pool.
" (A) W J. Boston.
" (B) J. H. Huggins.
" ("C") M. R. Ballenger.
Captain (C) H. T. Kennon.
" (D) John L. Steele.
" (E) James Lovless.
" (F) B. F. King.
" (F) R. W Mitchell.
" (G) John J. A Sharp.
" (H) Francis M. Young.
" (I) M. L Pritchett.
" (K) Andrew Young.

24th Georgia Infantry, Volunteers—775.

Colonel Robert McMillan.
" C. C. Saunders.
Lieutenant Colonel C. C. Sanders.
" " J. N. Chandler.
" " T. E. Winn.
Major R. E. McMillan.
" T. E. Winn.
" F. C Smith.
Adjutant D. E. Banks.
" U. S. Turner.
Captain (A) J. N. Chandler.
" (B) P. E. Davant.
" (C) W L. Smith, Kd.
" (C) F. C. Smith.
Captain (D) John Corn.
" (D) H. H. Smith, Kd.
" (E) J. N. Cannon, Kd.
" (E) H. P. Cannon, Dd.
" (F) J. H F. Mattox.
" (F) T. E. Winn.
" (G) W T. Leonard, Dd.
" (G) W. S. Brewster, Kd.
" (H) John H. Mosely, Dd.
" (H) George W Keeling.
" (H) N. J. Dortch, Dd.
" (I) H. I. Pool.
" (K) J. G. Porter.
Ensign W. C. Sears.

25th Georgia Infantry, Volunteers.

Colonel C. C. Wilson.
" W J. Winn.
Lieutenant Colonel W P M. Ashley.
" " W. H. Wylly.
" " A. J. Williams.
Major W J. Winn.
" W. H. Wylly.
" A. W. Smith.
A. Q. M, W D. Bacon.
Adjutant R. E. Lester.
Captain (A) A. W. Smith.
" (B) M L. Bryan.
" (C) J. Roberts.
Captain (D) A. J. Williams.
" (E) W S. Norman.
" (F) George T. Dunham.
" (G) W D. Hamilton.
" (H) W. H. Wylly.
" (I) A. H. Smith.
" (K) M. J. McMullen.
" (L) R. J. McClary.
" (B) Jos. Bryan.
" (D) J. R. Cooper.
" (D) A. Jackson.
" (G) Jas. W Best.

25th Georgia Volunteers, Reorganized.—870.

Captain (A) W. H. Wylly.
" (B) A. W Smith.
" (C) R. J. McClary.
" (D) A. H. Smith.
" (E) G. W. Holmes.
" (F) R. R. Young.
Captain (F) J. R. Moore.
" (A) J C. Bryan, Cashd.
" (A) J. C Howell.
" (H) S. D. Bradwell.
" (I) J. M. Smith.
" (K) J. R. Cooper.

26th Georgia Infantry, Volunteers—951.

Colonel C. W Styles.
" E. A. Atkinson.
Lieutenant Colonel W A. Lane.
" " E. S. Griffin.
" " J. S Blain.
" " Wm. A McDonald.
Major Thos. N. Gardner.
Major E. S. Griffin.
" J. S. Blain.
" B. F. Grace.
Adjutant E. A. Atkinson.
" Andrew J. Lyles.
Captain (A) G. C. Dent.
" (B) A. S. Atkinson.

Captain (C) J. C. Nichols.
" (D) D. J. McDonald.
" (E) Eli S. Griffin.
" (F) Wm. H. Dasher.
" (G) Ben. F Mosely.
" (H) Wm. A. McDonald.
" (I) Alex. Atkinson.
" (K) Jas. S. Blain.
" (L) Ben. A. White, Jr.
" (L) M. R. Cogdell. Reorganized.
" (A) Jas S. Blain.
" (A) N. Dixon.
" (B) A. Atkinson.

Captain (B) Jas H. Hunter.
" (C) Jas. Knox.
" (D) David Davidson.
" (E) E. S. Griffin.
" (F) John Lee
" (G) C. M. Howell.
" (H) J. P. Smith.
" (H) R. Paxton.
" (I) C. W. Hilliard.
" (I) Thos. J. Ivey.
" (K) B. F. Grace.
" (K) J. Hilton.

27th Georgia Infantry, Volunteers—721.

Colonel Levi B. Smith.
" C. T. Zachry.
Lieutenant Colonel C. T. Zachry.
" " — Brewer.
" " John W Stubbs.
" " J. M. Dorsey.
" " James Gardner, Kd.
" " H. Bussey.
Major H. B. Holliday.
" C. J. Dennis.
" J. Gardner.
" H. Bussey.
" W. H. Renfroe, Kd.
" I. D. Graham.
Adjutant J. Gardner.
" I. B. Pye.
A. C. S. Thomas Bacon, Kd.
" J. M. Zachry.
A. Q. M., H. B. Holliday.
" G. B. Buchanan.
Captain (E) — Spratlin, Dd.
" (E) J. M. Zachry.
" (A) P C. Carr, Dd.

Captain (A) W. E. Dougherty.
" (B) J. W. Stubbs.
" (B) J. J. Allen.
" (C) C. J. Denis.
" (C) J. W. Murray.
" (C) W W Johnston.
" (C) Thomas Grace.
" (D) J. N. Dorsey.
" (D) Geo. Latham.
" (E) W. H. Renfroe.
" (E) — Abercombie.
" (F) J. Wilcher.
" (F) — Edwards.
" (G) W. D. Redding.
" (G) M. L. Billingsley.
" (H) C. T. Zachry.
" (H) W H. Delamar, Kd.
" (H) R. A. Harkie.
" (I) O. A. Lee, Kd.
" (I) J. D. Graham.
" (I) —— Baxley.
" (K) H. Bussey.
" (K) C. Calhoun.

28th Georgia Infantry, Volunteers—718.

Colonel T. J. Warthen, Dd.
" Tully Graybill.
Lieutenant Colonel Geo. A. Hall.
" " James G. Cain.
" " W P. Crawford.
Major J. G. Cain.
" Tully Graybill.
" Jas. W. Banning.
Adjutant J W Robinson.
Captain (A) Tully Graybill.
" (A) J. R. Tucker.
" (B) E. B. Hook.

Captain (B) R. W Flournoy.
" (C) Wm. P. Crawford.
" (D) N. J. Garrison.
" (E) Geo. R. Moore.
" (F) Jessie Burtz.
" (F) L. R. Wade.
" (G) John Hill, Jr.
" (H) Wm. L. Johnson.
" (H) J. A. Johnson.
" (I) Isaac F Adkins.
" (K) John N. Wilcox.

29th Georgia Volunteers, Infantry—850.

Colonel R. Spaulding.
" Wm. J. Young.
Lieutenant Colonel T W. Alexander.
" " W. D. Mitchell.
Major L. J. Knight.
" J. C. Lamb.
Adjutant G. Butler.
Captain (A) C. S. Rockwell.

Captain (B) W J. Young.
" (C) T. S. Wylly.
" (D) J. C. Lamb.
" (E) F. M. Jackson.
" (F) W W. Billopp.
Captain (G) I. J. Owen.
" (H) W. D. Mitchell.
" (I) J. W. Turner.
" (K) H. C. Bowan.

29*th Georgia Volunteers, Reorganized.*

Captain (A) J. D. Henderson.
" (B) W W. Spencer.
" (C) L. J. Knight.
Captain (D) J. C. Lamb.
" (E) B. Y. Stanford.

30*th Georgia Infantry, Volunteers*—767.

Colonel David J. Bailey.
" Thomas W Mangham.
" James S. Boynton.
Lieutenant Colonel Miles M. Tidwell.
" " Thomas W. Mangham.
" " Jas. S. Boynton.
Major Cicero A. Thorpe.
" J. R. Boynton.
" Henry Hendricks.
A. C. S., A. N. McLarty.
" J. C. Little.
A. Q. M., J. C. Hightower.
Adjutant J. W. McCord.
Captain (A) John L. Barnett.
" (B) H. Hendrick.
" (C) J. G Lindsey.
" (D) Thos. C Bartlett.
" (E) Robert M. Hitch.
" (F) Wm. N. Magonick.
" (G) John Edmondson.
" (H) Francis M. Harrall.
" (I) C. A. Dollar.
" (K) Wm. B. Richards.

30*th Georgia Volunteers, Reorganized*—728.

Captain (A) Felix L. Matthall.
" (B) Henry Kendrick.
" (C) R. J. Andrews.
" (D) Hudson Whitaker.
" (E) R. M. Hitch.
" (F) Ulm N. Magonick.
Captain (G) John Edmondson.
" (G) Jno W. McLeod.
" (H) F M. Harrell.
" (J) C. A Dollar.
" (K) Geo. T. Longino.

31*st Georgia Volunteers, Infantry*—800.

Colonel P J. Phillips.
" Clement A. Evans.
Lieutenant Colonel Daniel P Hill.
" " J. T. Crow.
Major C. A. Evans.
" J. H Lowe.
A. C. S., J. H. Sutton.
A. Q. M., A. B. Redding.
Adjutant J. H. Woodbridge.
" Wm. M. Head.
Captain (A) Apollo Forrester.
" (B) Rodolphus T. Pride.
" (C) Archer Griffetts.
" (D) John T. Crowder.
" (E) L. B Redding.
" (F) Warren D Wood.
" (G) J. H. Lowe.
" (H) John W Murphy.
" (I) Geo. W. Lewis.
" (K) R. H. Fletcher.

31*st Georgia Volunteers, Reorganized.*

Captain (A) A. Forrester, Dd.
" (A) C. L. Shorter.
" (B) R. T. Pride.
" (C) J. G. Sanders.
" (D) Thos. B. Settle.
" (E) L. R. Redding.
Captain (F) M. D. Wood.
" (G) J. H. Love.
" (H) J. W. Murphy.
" (I) Geo. W. Lewis.
" (K) R. H. Fletcher.
" (K) S. W. Thornton.

32d *Georgia Volunteers, Infantry*—880.

Colonel Geo. P Harrison, Jr.
Lieutenant-Colonel W H. Pruden.
" " E. H. Bacon.
Major E. H. Bacon, Jr.
" W Y. Holland.
Adjutant G. M. Blount.

Captain (A) W. Y. Holland.
" (A) W. D. Cornwell.
" (B) J. B. McDowell.
" (C) S. J. Heath.
" (D) R. K. Hines.
" (D) J. A. Hines.
" (E) S. A. H. Jones.
Captain (E) P R. Talliaferro.
" (F) C. A. Willis.
" (G) J. A. Phillips.
" (H) S. D. Mobley.
" (I) J. F. Lewis.
" (K) F G. Godbee.
" (K) J. L. McElmurry.

33*d Georgia Volunteers.*

Colonel A Littlefield.

34*th Georgia Infantry, Volunteers.*

Colonel J. A. W Johnson.
Lieutenant Colonel J. W. Bradley.
Major Thos. T. Donough.
" John M. Jackson.
Adjutant I. J. McLendon.
Captain (A) Caleb Chitwood.
" (B) Thomas A. Neal.
" (C) R. A. Jones.
Captain (D) Wm. E. Brock.
" (E) Jordan Rowland.
" (F) W A. Walker.
" (G) G. M Blackwill.
" (H) John M. Jackson.
" (I) A. T. Bennett.
" (K) A. P Daniel.

35*th Georgia Infantry, Volunteers*—656.

Colonel E. L. Thomas
" Bolling H Holt.
Lieutenant Colonel Gustavus A. Bull.
" " B. H. Holt.
" " W H. McCullough.
Major B. H. Holt.
" W. H. McCullough.
" W L. Groves.
" L. A. Williams.
" J. T. McElvany.
Adjutant J. H. Ware, Kd.
" S. W. Thomas.
Captain (A) Wm. I. Head.
Captain (B) I. M. White.
" (C) D. B. Henry, Kd.
" (D) L. A. J. Williams.
" (D) J. M. Mitchell.
" (D) I. P. Johnston.
" (E) E. R. Whitley.
" (F) R. M. Rawlings, Dd.
" (F) J. T. McElvany.
" (G) Wm. S. Barrett.
" (H) A. K. Richardson.
" (I) W. L. Groves.
" (I) S. T. Irvine.
" (K) W H. McCulloch.

36*th Georgia Infantry, Volunteers*—986.

Colonel Jesse A. Glenn.
" C. E. Broyles.
Lieutenant Colonel Alex. M. Wallace.
Major Chas. E. Broyles.
" Jno. Loudermilk.
Adjutant John S. Ault.
Captain (A) J. W. Aderhold.
" (B) H. J. Sprayberry.
" (D) J. R. Rhodes.
" (E) W. H. Howard, Jr.
" (F) J. P. Girardy.
" (G) R. T. English.
" (H) J. T. Kerr.
" (I) J. N. Edwards.
Captain (K) E. S Amos.
" (A) Joseph Glenn.
" (B) Geo. A. Cooper.
" (C) B. B. White.
" (C) F. M Dwight.
" (D) Jno. Loudermilk.
" (E) J. D. Gilbert.
" (F) E. L. Martin.
" (G) D. H. Elledge.
" (H) A. P. Roberts.
" (I) J. L. Morgan.
" (K) A. A. Dyer.
" (L) Thos Williams.

37*th Georgia Infantry, Volunteers.*

Colonel A. F. Rudler.
Lieutenant Colonel J. T. Smith.
Major J J. Bradford.
Major R. E. Wilson.
Adjutant G. H. Sherod.
Captain (A) R. E. Wilson.

Captain (B) T. E. Blanchard.
" (D) J. G. McMullan, Kd.
" (D) W M. Clark.
" (I) M. Kendrick, Dd.
Captain (I) T. D. Wright.
" (I) Wm. Hutchinson.
" (K) W. H. H. Phelps.

38*th Georgia Infantry, Volunteers*—775.

Colonel A. R. Wright.
" Geo. W. Lee.
" J. D. Mathews.
Lieutenant Colonel Geo. W Lee.
" " Lewis J. Parr.
" " J. D. Mathews.
" " P. E. Davant.
Major L. J. Parr.
" T. H. Bomar.
Captain (A) Wm. L. McLeod, Kd.
" (B) Robert P. Eberhart.
" (C) John Y. Flowers.
" (D) Geo. W. McClesky, Kd.
Captain (E) Wm. H. Battey, Kd.
" (E) J. W. Brinson.
" (E) L. W Farmer, Kd.
" (F) Cornelius R. Hanleiter.
" (G) Wm. Wright.
" (G) Geo. F. Robinson.
" (H) Thomas H. Bomar.
" (I) John C. Thornton.
" (I) J. O. Maxwell.
" (K) Jas. D. Matthews.
" (K) Chas. A. Hawkins, Kd.
" (K) R. T. Donough.
" (K) L. H. T. Bomar.

39*th Georgia Infantry, Volunteers*—899.

Colonel J. T. McConnell, Dd.
" J. F B Jackson.
Lieutenant Colonel J. F. B. Jackson.
Major J. H. Randall
Adjutant W M. McCallister.
Captain (A) L. W. Crook
" (B) T. H. Pitner.
" (C) Timothy Ford.
Captain (D) J. W Cureton.
" (E) C. D. Hill.
" (E) H. B. Osborne.
" (F) Jas. H. Anderson.
" (G) B. J. Brown.
" (K) J. W Brady, Kd.
" (I) John D. Hayes.
" (H) Wm. H. Edwards.

40*th Georgia Infantry, Volunteers.*

Colonel Abda Johnson.
Lieutenant Colonel Robert M. Young.
Major Raleigh G. Camp.
Adjutant G. W. Warwick.
Captain (A) Jno H. Matthews.
" (B) John U. Dobbs.
" (C) Z. B. Hargrove.
Captain (D) Francis H. Hall.
" (E) J. F. Groover.
" (F) John Middlebrooks.
" (G) Thos. J. Foster.
" (H) Joseph L. Neel.
" (I) Abda Johnson.
" (K) Alex. Murchison.

41*st Georgia Infantry, Volunteers*—683.

Colonel Charles A. McDaniel.
Lieutenant Colonel Wm. E. Curtis.
Major John Knight.
" W. S. Nall.
Adjutant E. Elless.
A. Q. M. A. D. Abrahams.
Captain (A) J. E. Stallings.
" (B) Geo. N. Lester.
" (B) D. McCleskey.
" (B) Thomas I. Dobbs.
Captain (C) Geo. S. Avery.
" (D) Jno. W Powell.
" (E) J. C. Curtwright.
" (F) A. D. Abrahams.
" (F) S. D. Clements.
" (G) Washington Henibree.
" (G) R. A. Wood.
" (H) Newton J. Ross.
" (I) W. B. Thomason.
" (K) J. J. Bowen.

42*d Georgia Infantry, Volunteers*—929.

Colonel Robert J. Henderson.
Lieutenant Colonel R. F. Maddox.
" " Wm. H. Hulsey.
Major W H. Hulsey.
Major L. P Thomas.
Adjutant H. M. Wylie.
Captain (A) L. P. Thomas.
" (B) B. P. Weaver.

Captain (C) H. W Parris.
" (D) Nathan Clay.
" (E) T. J. Mercer.
" (F) Jas. M. Summers.
Captain (G) Enoch E. McCollum.
" (H) J. T. Mitchell.
" (I) John H. Barrett.
" (K) Wm. L. Calhoun.

43*rd Georgia Infantry Volunteers*—1060.

Colonel Skidmore Harris.
" H. C. Kellogg.
Lieutenant Colonel Hiram P Bell.
Major Henry C. Kellogg.
Adjutant J. S. Allen.
Captain (A) Wm. F. Mullins.
" (A) A. M. Reinhart.
" (A) W I. Sloan.
" (B) M. M. Grantham.
" (C) Ben. F. Hanie.
" (D) Wm. P. Brown.
Captain (D) M. J. Ragsdale.
" (E) Thos. G. Pilgrim.
" (F) James F. Law.
" (F) Cicero H. Furr.
" (G) M. M. Mintz.
" (G) J. M. Storey.
" (H) H. R Howard.
" (I) W. C. Lester.
" (K) John F. Rives.
" (L) M. H. West.

44*th Georgia Volunteers*—918.

Colonel Robert A. Smith.
" John B. Estes.
" Sam'l. P. Lumpkins.
" Wm. H. Peebles.
Lieutenant Colonel J. B. Estes.
" " S. P. Lumpkin.
" " W H. Peebles.
" " Jas. W Beck.
Major Richard O. Banks.
" Jos. W. Adams, Dd.
" W. H. Peebles.
" J. W. Beck.
" John C. Key.
Adjutant Chas. M. Wiley.
Captain (A) W H. Peebles.
" (A) H. M. Credille.
" (B) John C. Key.
" (B) Jas. Henderson.
Captain (C) Sam'l. P. Lumpkin.
" (D) John B. Estes.
" (D) R. R. Hanes.
" (E) Joseph W Adams.
" (E) J. H. Connally.
" (F) David L. Hitchcock.
" (F) C. D. Pearson.
" (F) G. G. Green, Kd.
" (F) J. B. Reese.
" (G) John Huie.
" (G) J. L. Blalock.
" (H) Jno. C. Redding.
" (H) Jno. W. Butler.
" (I) Chas. W. Alliston, Kd.
" (I) J. H. Harris.
" (I) Jas. W Beck.
" (I) Thomas T. Eason.

45*th Georgia Infantry Volunteers*—686.

Colonel Thomas Hardeman.
" Thomas J. Simmons.
Lieutenant Colonel T. J. Simmons.
" " W. L. Grice.
" " J. W Carter.
" " W. S. Wallace.
" " C. A. Conn, Kd.
Major W. L. Grice.
" M. R. Rogers.
" J. W. Carter.
" A. W Gibson.
Adjutant Geo. F. Cherry.
Captain (A) M. R. Rogers.
" (A) W H. Shaw.
" (A) Geo. F. Cherry.
" (B) J. W Dozier.
Captain (C) Jas. M. Carter.
" (C) John H. Baskins, Dd.
" (C) H. G. Lamar.
" (D) Jos. H. White, Dd.
" (D) Jesse Mays.
" (E) Wm. S. Wallace.
" (F) Richard M. Bonner.
" (F) John Hardeman.
" (G) C. A. Conn.
" (H) Wm. M. Davis.
" (H) John G. Brown.
" (H) W D. Killen.
" (I) L. J. Dupree.
" (I) J. I. Hall.
" (I) J. M. Carter.
" (K) A. W Gibson.

46th Georgia Infantry Volunteers—883.

Colonel Peyton H. Colquitt, Kd.
" S. J. C. Dunlap.
Lieutenant Colonel Wm. A. Daniel.
Major Alex M. Speer.
" S. J. C. Dunlap.
Adjutant W. W Charlton.
" W. R. Bedell.
Captain (A) T. B. Hancock.
" (B) Sam'l. J. C. Dunlap.
" (C) A. H. Cooper, Kd.
" (C) T. C. Tillman.
Captain (D) E. G. Raiford.
" (E) Wm. A. Andrews.
" (F) John P Beaty.
" (F) R. M. Dixon.
" (G) G. A. Ball.
" (G) Malcomb Gillis.
" (H) Eleazer Taylor.
" (I) W F. Moore.
" (I) W A. Davis.
" (K) A. G. Bedell.
" (K) I. F. Pou.

47th Georgia Volunteers—814.

Colonel G. W. M. Williams, Dd.
" A. C. Edwards.
Lieutenant Colonel A. C. Edwards.
" " W. S. Phillips.
" " J. S. Cone.
Major J. S. Cone.
" A. G. Cone.
Adjutant B. S. Williams.
Captain (A) M. J. Doyle.
" (B) Pat. Gormley, Cashd.

48th Georgia Infantry Volunteers—1052.

Colonel William Gibson.
" M. R. Hall.
Lieutenant Colonel R. W. Carswell.
" " M. R. Hall.
Major J. R. Whitehead.
" M. R. Hall.
Adjutant Julian Cumming.
" T. H. Gibson.
Captain (A) A. Kelley, Kd.
" (B) M. R. Hall.
" (C) H. J. Dortic, Dd.
" (C) L. G. Doughty, Kd.
" (C) J. K. Evans.
Captain (D) John W. Harlow, Kd.
" (D) U. L. Skinner.
" (E) T. H. Polhill, Kd.
" (E) R. W Carswell.
" (E) W J. Smith.
" (F) Thos. W. Kent.
" (G) Ulysses A. Rice.
" (G) T J. Roberston.
" (H) Niell MeLeod.
" (H) A. C. Flanders.
" (I) R. J. Wilson.
" (K) T. J. Hamilton.
" (K) D. T. Wilson.

49th Georgia Infantry Volunteers—762.

Colonel Andrew J. Lane.
" S. T. Player.
" J. T. Jordan.
Lieutenant Colonel Seaborn M. Manning.
" " Jonathan Rivers.
" " S. T. Player.
" " O. H. Cooke.
" " J. T. Jordan.
" " W. J. Williams.
Major J. Rivers.
" S. T. Player.
" J. H. Pate.
" W. J. Williams.
" John Durham.
" J. B Duggan.
Adjutant M. Newman.
Captain (A) S. T. Player.
" (A) J. B. Duggan.
" (B) Jas. Humphreys, Dd.
" (B) W J. Williams.
Captain (C) Wm. M. Carter.
" (C) J. T. Jordan.
" (D) Wm. F Holden.
" (D) John Durham.
" (E) Sam'l. D. Fuller.
" (E) A. C. McLennon.
" (F) O. H. Cooke.
" (F) T. D. Wilcox.
" (G) Jas. T. Cappell.
" (G) H. B. Stanley,
" (H) A. D. Jernigan.
" (H) C. M. Jones, Kd.
" (H) W G. Bell.
" (I) Jas J. Lawrence.
" (I) A. J Lane.
" (I) J. W Allen.
" (K) H. H. Whitfield.
" (K) S. M. Manning.
" (K) J. H. Pate.
" (K) O. A. V. Rose.

50th Georgia Infantry Volunteers—974.

Colonel W R. Manning.
" Peter McGlashan.
Lieutenant Colonel F. Kearse.
" " W O. Fleming.
Major P. C. Pendleton.
" D. Curm.
" W O. Fleming.
" P. Sheftall.
Adjutant Jas P. Graves.
Captain (A) Jno. T. Wilson.
" (B) P. B. Bedford.
" (B) P. C. Pendleton.
Captain (C) John M. Spence.
" (D) Jas. T. Bevill.
" (E) Cicero H. Young.
" (F) Duncan Curry.
" (F) W. O. Fleming.
" (G) John B. Osteen.
" (H) Jesse M. Wells.
" (I) E. C. Morgan.
" (I) C. Townsend.
" (K) Pliny Sheffield.
" (K) John G. McCall.
" (F) H. L. Reeves.

51st Georgia Infantry Volunteers—968.

Colonel W M. Slaughter, Dd.
" E. Ball.
" James Dickey.
Lieutenant Colonel E. Ball.
" " O. P. Anthony.
" " J. Dickey.
" " J. P. Crawford.
Major O. P Anthony.
" H. M. Dunwoody.
" Jas. Dickey.
" J. P Crawford.
Adjutant J. H. West.
Captain (A) H. M. Dunwoody.
" (A) S. Alexander, Kd.
" (A) W. R. McLean.
Captain (B) W. C. Ware, Kd.
" (B) W. H. Chastain.
" (C) A. Cumbie.
" (C) J. W Brooks.
" (D) F. M. D. Hopkins.
" (E) James Dickey.
" (F) B. J. Kendrick.
" (F) T. M. Jones.
" (G) John P. Crawford.
" (H) Edward Ball.
" (H) Wm. F. Davis.
" (I) O. P. Anthony.
" (I) S. A. McLendon.
" (K) Wm. M. Slaughter.
" (K) Richard Hobbs.

52nd Georgia Infantry Volunteers—890.

Colonel Wier Boyd.
Lieutenant Colonel C. D. Phillips.
Adjutant W A. James.
Captain (A) S. H. Vandiviere.
" (B) John J. Moore.
" (C) R. R. Asbury.
" (D) John A. Parker.
Captain (D) J. W Woodward.
" (E) D. W Killian.
" (F) S. M. Beck.
" (G) Lewis B. Beard.
" (H) W. W Brown.
" (I) John R. Russell.
" (K) T. F. Cooper.

53rd Georgia Infantry Volunteers.

Colonel L. T. Doyal.
" James P Sims.
Lieutenant Colonel Thomas Sloan.
Major J. P. Sims.
Adjutant John F. Hanson.
Captain (A) T. W Atkins.
" (B) Thos. W. Sims.
" (I) J. M. D. Bonds.
Captain (D) J. W. Hance, Kd.
" (E) Jas. P. Sims.
" (E) S. W Glass.
" (F) Thomas Sloan.
" (G) R. P. Taylor.
" (H) W. B. Baker.
" (C) Sam'l. W Marshbone.
" (K) J. M. Ponder.

54th Georgia Infantry Volunteers—815.

Colonel Charlton H. Way.
Lieutenant Colonel Morgan Rawls.
Major Wm. H. Mann.
Adjutant T. H. Brantley.
Captain (A) T. W. Brantley.
" (B) Geo. W Moody.
" (C) D. A. Green.
" (C) T. M. Brantley.
Captain (D) A. S. Roberts.
" (E) J. D. Evans.
" (E) H. M. Tally.
" (F) W T. Chisholm.
" (G) Geo. W Knight.
" (H) C. R. Russell.
" (I) L. L. Elkins.
" (K) Geo. Eason.

55th Georgia Infantry Volunteers—1008.

Colonel C. B. Harkie, Cashd.
" A. W. Persons.
" D. S. Printup.
Lieutenant Colonel A. W. Persons.
" " D. S. Printup.
Major D. S. Printup.
" M. P. Tucker.
A. C. S., —— Wright.
Adjutant R. C. Saxon.
Captain (A) Turner J. Ball.
" (B) James M. Griffin.
Captain (C) Wm. J. Collins.
" (D) John G. Lester.
" (E) Ben R. Kendrick, Kd.
" (F) H. W Baker.
" (F) J. J. Roberson.
" (G) R. L. Mitchell.
" (H) J. P. Allen.
" (I) D. A. Lee, Dd.
" (K) M. P. Tucker.
" (L) E. M. Westbrook.

56th Georgia Infantry Volunteers.

Colonel E. P Watkins.
Lieutenant Colonel J. T. Slaughter.
Major M. L. Poole.
" J. P Brewster.
Adjutant Jas. N. Bass.
Captain (A) J. P Brewster.
" (B) J. B. Martin.
" (C) J. A. Grice.
Captain (D) W. S. Monroe.
" (E) J. F. Albert.
" (F) P H. Prather, Kd.
" (G) E. M. Streetman.
" (H) J. M. Parrish.
" (I) J. M. Cobb.
" (K) B T. Sherman.
" (K) J. H. Harrison.

57th Georgia Infantry Volunteers.

Colonel Wm. Barkaloo.
Lieutenant Colonel E. S. Guyton.
Major John W. Shinholser.
A. C. S., M. W. Johnston.
Assistant Quartermaster H. Cleveland.
Adjutant T. J. Dyson.
" Stephen De Bruhl.
" Geo. R. Hunter.
Captain (A) L. C. Bryan.
" (B) James M. Smith.
Captain (C) Lucius Q. Tucker.
" (D) Henry K. Byington.
" (E) C. H. Richardson.
" (F) John F. Vinson.
" (G) James P Jordan.
" (H) John R. Bonner.
" (I) George W. Bishop.
" (K) J. W. Shinholser.
" (K) J. N. Shinholser.

58th Georgia Volunteers.

59th Georgia Infantry Volunteers—833.

Colonel Jack Brown.
Lieutenant Colonel C. J. Harris.
" " B. H. Gee.
Major B. H. Gee.
" C. J. Harris.
" M. G. Bass.
" W. H. Fickling.
A. C. S., W A. Sparks.
Assistant Quartermaster B. F. Bruton.
Adjutant H. Marshall.
" M. F Bass.
Captain (A) B. H. Gee.
" (B) John G. Collins.
" (C) W. H. Ficklin.
Captain (D) D. C. Smith.
" (D) B. H. Miller.
" (E) M. G. Bass.
" (E) B. L. Brown.
" (F) James M. Rouse.
" (G) G. F. Brown.
" (H) Jack Brown.
" (H) F. M. Robinson.
" (H) W W. Train.
" (I) E. Cain, Dd.
" (I) John W Hutchinson.
" (K) C. J. Harris.
" (K) F. W Johnson.
" (K) S. H. Gates.

60th Georgia Infantry Volunteers.

Colonel W. H. Stiles.
" W. B. Jones.
Lieutenant Colonel Thomas J. Berry.
Major W. B. Jones.
A. C. S., A. D. Murray.
Assistant Quartermaster D. N. Speer.
Adjutant B. F Keller.
" R. L. McFarlin.

Captain (A) T. D. Bertody.
" (B) W B. Jones.
" (C) J. C. Wardlaw.
" (C) James C. Ward,
" (C) J. A. Edmondson.
" (D) W. Talliaferro.
" (E) J. W. Beck.
Captain (F) W P. Jarrett.
" (G) John B. Colding, Kd.
" (H) W H. Stiles.
" (H) W C. Leake.
" (I) B. F. Fariss.
" (K) W H. Howard.

61*st Georgia Infantry Volunteers.*

Colonel John H. Lamar.
Lieutenant Colonel J. Y. McDuffie.
" " C. W. McArthur.
Major A. P. McRae.
" Peter Brennan.
" H. Tillman.
Assistant Quartermaster Geo. Higgins.
Adjutant G. W Lamar.
" G. C. Connor.
Captain (A) G. D. Wilcox.
" (B) D. R. A. Johnson.
" (C) Dan'l. McDonald.
" (D) S. H. Kennedy.
Captain (E) C. W McArthur.
" (E) T. M. McRae.
" (F) P. Brennan.
" (G) W. Fannin.
" (H) J. M. Dasher.
" (I) J. D. Van Valkenburg.
" (K) E. F Sharpe.
" (C) J. A. Edmoudson.
" (G) H. T. Colley.
" (A) J. Y. McDuffie
" (D) H. Tillman.
" (B) A. P. McRae, Kd.

62*nd Georgia Infantry Volunteers.*

Colonel J. R. Griffin.
Lieutenant Colonel Randolph Townes.
" " John T. Kennedy.
Major John T. Kennedy.
" W. L. A. Ellis.
A. C. S., T. Meara.
" W R. Baldwin.
Adjutant B. B. Bower.
" W A. Holson
Captain (A) John P Davis.
" (B) Jas. W. Nichols.
" (B) B. B. Bower.
Captain (C) W L. A. Ellis.
" (D) Wm. H. Fancett.
" (D) R. Duvall.
" (E) W. A. Thompson.
" (F) S. B. Jones.
" (G) Pat. Gray.
" (H) Thos. A. Janes.
" (H) A. P. Newhart.
" (I) Jno. A. Richardson.
" (K) E. W. Westbrook.
" (K) S. L. Turner
" (L) Theo. G. Barham.

63*rd Georgia Infantry Volunteers*—986.

Colonel George A. Gordon.
Lieutenant Colonel Geo. R. Black.
Major John R. Giles.
" J. V. H. Allen.
A. C. S., G. W Lamar.
Assistant Quartermaster C. J. White.
Adjutant J. S. Hammond.
Captain (A) J. V H. Allen.
" (B) James T. Buckner.
Captain (C) E. J. Craven.
" (D) E. H. Harrison.
" (E) Thad. Oliver.
" (F) John H. Losser.
" (G) D N. Martin.
" (H) H. H. Scranton.
" (I) C. W Howard.
" (K) Wm. J. Dexra.

64*th Georgia Infantry Volunteers.*

Colonel John W. Evans, Kd.
" W. H. Weems.
Lieutenant Colonel James Barrow, Kd.
" " W. H. Weems.
Major W H. Weems.
" C. S. Jenkins.
Assistant Quartermaster E. R. Peabody.
Adjutant J. A. Byrd.
Captain (A) John K. Redd.
Captain (B) T J. Pritchett.
" (C) N. W. Garrard.
" (D) Geo. S. Thomas.
" (E) C. S. Jenkins.
" (F) P Robinson.
" (G) D. C. Smith.
" (G) C. A. C. Waller.
" (H) S. A. Townsley.
" (I) J. T. McClusky, Cashd.

65th Georgia Infantry Volunteers.

Colonel C. J. Smith.
" John S. Fain.
" R. H. Moore.
" W. G. Foster.
Lieutenant Colonel J. S. Fain.
" " R. H. Moore.
" J. W Pearce.
Major B. F. Browne.
" R. H. Moore.
" J. W Percy.
" S. F. Williams.
A. C. S., W A. Martin.
Adjutant T. W Alexander.
Captain (A) S. F. Williams.
" (B) Andrew H. Morris.
" (C) John H. Craven.
" (D) W G. Foster.
" (E) W F. Thomas.
" (F) A. Rudolph.
" (G) John W. Holmes.
" (H) F. M. Kitchens.
" (I) Henry L. Smith.
" (K) W W Graut

66th Georgia Infantry Volunteers.

Colonel J. C. Nisbet.
Lieutenant Colonel
Major
A. C. S.
Captain (F) A. H. Reid.
" (G) G. V Hall.
" (I) J. Thorntou.

Cobb's Georgia Legion—1018.

Colonel Thos. R. R. Cobb, Kd.
" Pierce M. B. Young.
" G. I. Wright.
Lieutenant Colonel P M. B. Young.
" " G. B. Knight.
" " Jeff. M. Lamar, Dd.
" " Luther J. Glenn.
" " R. S. King.
" " Wm. G. Deloney.
Major Ben. C. Yancey.
" J. M. Lamar.
" W G. Delouey.
" L. J. Glenn.
" Z. A. Rice.
" Thos. M. Camack.
" G. I. Wright.
" W D. Conyers.
Adjutant J. C. Rutherford.
Inf. Captain (A) W D. Conyers.
" (B) C. A. McDaniel.
Inf. Captain (B) W. W. McDaniel.
" (C) L. J. Glenn.
" (C) M. F. Liddell.
" (C) A. C. Grier.
" (D) Thomas Camack.
" (D) W A. Winn, Kd.
" (D) Jas. F. Wilson.
" (E) W S. C. Morris.
" (E) T. B. Cox.
" (F) W F. S. Powell.
" (G) G. B. Kuight.
" (G) J. C. Barnett.
Cav. Captain (A) T. P Stovall.
" (A) J. J. Thompson.
" (B) Z. A. Rice.
" (C) W. G. Deloney.
" (C) T. C. Williams.
" (D) W J. Lawton.
Art. " (A) M. Stanley.

Phillip's Georgia Legion—725.

Colonel Wm. Phillips.
" John S. Norris.
Lieutenant Colonel Seaborn Jones, Jr.
" " R. T. Cook, Kd.
" " E. T Barclay.
" " J. Hamilton.
" " W W Rich.
Major John D. Willcoxon.
" W P. C. Puckett.
" Joseph Hamilton.
" E. S. Barclay.
Adjutant Jas H. Lawrence.
" J. W Wofford.
" F. S. Fuller.
Adjutant J. A. Matthias.
Inf. Captain (A) O. R. Daniel.
" (B) R. T. Cook.
" (B) Thos. Hamilton.
First Lieutenant (B) J. F. B. Jackson.
Captain (C) E. S. Barclay.
" (C) J. S. Norris.
" (C) A. S. Erwin.
" (D) H. F. Wimberley.
" (E) Jos. Hamilton.
" (F) Jackson Barnes.
" (G) Chas. Dubignou.
" (H) W. W. Rich.
" (H) J. F Mitholliu.

Captain (I) W. B. C. Puckett.
" (K) R. S. Y. Lony.
" (I) J. M. Johnson.
" (L) J. T. Lowry.
" (M) J. F. McClesky.
" (M) Sam'l. Y. Harris.
" (N) S. S. Dunlap.
" (O) T. K. Sproull.
" (O) H. I. McCormick.
" (P) W W. Thomas.
Cav. Captain (A) J. H. Nichols.
" (A) C. Du Bignon.
" (A) A. R. Love.
" (B) Wm. H. Rich.
" (B) T. G. Wilkes.
" (B) B. B. McKenzie.
Cav. Captain (C) E. C Hardin.
" (C) W. B. C. Puckett.
" (C) G. A. Roberts.
" (D) P. L. Y. Long.
" (D) H. Buchanan.
" (E) A. F. Hunter.
" (F) W W. Thomas.
Inf. Captain (A) D. B. Sanford.
" (A) F C. Fuller.
" (A) O. P Daniel.
" (A) P B. Robinson.
" (B) I. D. Dodd.
" (E) W. H. Barler.
" (E) J. M. McDonald.
" (F) P. McGovern.
Arty. H. N. Ells.

Smith's Georgia Legion of 375.

Partisan Rangers.
Colonel Sumner J. Smith.
Lieutenant Colonel John R. Hart.
" " John S. Fain.
Major B. F. Brown.
" Robert H. Moore.
Adjutant B. F. Chastain.
" Jas. M. Gartrell.
Assistant Surgeon B. P White.
" " John W Farrell.
Assistant Quartermaster Jas. W. Langston.
" " C. M. Bale.
Captain (H) A. Rudolph.
" (C) W F. Thomas.
" (H) Jas. Harlow.
Cav. Captain (G) John R. Hart.
" (G) A. F. Ball.
" (B) T. C. Fain.
" (C) L. M. Stiff.
" (D) S. M. Ralston.
" (E) L. Harlow.
" (E) J. T. Burns.
" (F) S. Anderson.
" (A) G. W Standridge.
Inf. Captain (A) Jacob W Piercey.
" (B) Sam'l. F Williams.
" (C) A. H. Morris.
" (D) John H. Craven.
" (E) Ben. C. Grant.
" (F) Ulm G. Foster.

Wright's Georgia Legion.

Colonel Aug. R. Wright.
Lieutenant Colonel G. W Lee.
Major Lewis J. Parr.

Thomas Legion—395.

1*st Georgia Reserves.*

Colonel J. H. Fannin
Captain (A) W B. Wood.
" (B) G. A. Hall.
" (C) E. Baker.
" (D) J. C. Thornton.
" (E) J. H. Grant.
Captain (F) G. W Austin.
" (G) W. H. Hartnett.
" (H) J. H. Powell.
" (I) J. Whately.
" (K) J. D. Watson.

2*nd Georgia Reserves.*

Colonel R. F. Maddox.
Captain (A) S. Chamberlain.
" (B) R. Adams.
" (C) E. Holcombe.
" (D) T. C. Jackson.
" (E) J. F. McCloskey.
Captain (F) M. Richardson.
" (G) E. M. Donehoe.
" (H) C. M. Jones.
" (H) N. Clay.
" (I) S. S. Fears.
" (K) J. R. Mehaffey.

3rd Georgia Reserves.

Colonel E. J. Harris.
Lieutenant Colonel J. S. Moore.
Major J. B. Griffin.
Adjutant S. D. Martin.
Captain (A) J. A. McManus.
" (B) C. D. Amos.
" (C) W. F. Scott.
Captain (D) T. P. Lloyd.
" (E) N. Miller.
" (F) O. Cromwell.
" (G) S. D. Nutt.
" (H) S. E. Glass.
" (I) T. H. Hodgkiss.
" (K) G. A. Cunningham.

4th Georgia Reserves.

Colonel R. S. Taylor.
Lieutenant Colonel A. D. Candler.
Major J. H. Bush.
Adjutant W T. Florence.
Captain (A) G. S. Peavy.
" (B) J. M. B. Carlton.
" (C) J. P. Hudson.
Captain (D) R. T. Bowie.
" (E) B. D. Johnson.
" (F) A. C. Allen.
" (G) J. G. Jordon.
" (H) R. C. Saxon.
" (I) T. L. Anderson.
" (K) M. A. Adams.

5th Georgia Reserves.

Colonel J. B. Cumming.
Lieutenant Colonel C. D. Findley.
Major C. E. McGregor.
Adjutant O. T. Thweatt.
Captain (A) M. R. Freeman.
" (B) B. D Lumsden.
" (C) B. Whiddon.
Captain (D) W Paine.
" (E) W. A. Cobb.
" (F) J. C. Jarratt.
" (G) C. E. Clarke.
" (H) W M. Gunn.
" (I) W. P. Mobley.
" (K) W H. Lawson.

Georgia State Guards.

Colonel J. G. Yeiser.
Lieutenant Colonel J. R. Freeman.
Major T. W Alexander.
Captain (A) J. H. Lawrence.
" (B) J. Trout.
" (C) S. D. Wragg.
" (D) A. A. Terhune.
Captain (E) M. L. Troutman.
" (F) J. Taliaferro.
" (G) H. F. Wimberly.
" (H) S. A. Bordoers.
" (I) D. B. Dean.
" (K) C. O. Stillwell.

1st Georgia Battalion Infantry.

Lieutenant Colonel J. B. Villepigne.
" " G. A. Smith.
" " Chas. Spaulding.
Major W S. Lovell.
Adjutant E. G. Jeffers.
Captain (A) J. W Aderhold.
" (B) H. J. Sprayberry.
" (C) G. A. Smith.
Captain (D) J. R. Rhodes.
" (E) W. H. Howard, Jr.
" (F) J. P. Girardey.
" (G) W. S. Lovett.
" (H) J. F. Kerr.
" (I) J. N. Edwards.
" (K) G. S. Ames.

1st Georgia Battalion Infantry Sharp-Shooters No. 2.—323.

Major Arthur Shaaf.
Captain (A) A. Shaaf.
" (A) H. D. Twyman.
" (B) A. L. Hartridge.
Captain (B) B. H. Hardee.
" (C) Wm. H. Ross.
" (D) G. C. Dent.
" (D) C. T. Berwick.

2nd Georgia Battalion Infantry.

Major Thos. Hardeman.
" Geo. W Ross.
Assistant Quartermaster F. S. Gross.
A C. S., C. S. Rogers.
Adjutant W. S. Robinson.
Surgeon A. V Taliaferro.
Captain (A) C. J. Moffit.
Captain (A) W F. I. Ross.
" (B) John F. Dupree, Dd.
" (B) W. F. Walker.
" (C) Geo W Ross.
" (C) C. R. Redding.
" (D) Geo. S. Jones.

2nd Georgia Battalion Infantry Sharp-Shooters No. 2.

Major J. J. Cox.
" R. H. Whiteley.
Assistant Quartermaster Thos. B. Gower.
Captain (A) R. H. Whiteley.
" (A) C. H. George.
Captain (B) Wm. H. Brown.
" (C) E. W Ansley.
" (C) M. G. Hester.
" (D) Sam'l. D. Oliver.
" (E) O. C. Myers.

3rd Georgia Battalion Infantry.

Lieutenant Colonel J. B. Stovall.
Major A. F. Rudler.
Adjutant C. P Roberts.
Assistant Quartermaster B. T. Jones.
" " J. A. Anderson.
" " R. Orme.
" " H. P Richmond.
Captain (A) Jas. D. Yeiser.
Captain (B) Robert E. Meson.
" (C) M. Kendrick.
" (D) Geo. M. McDowell.
" (E) Andrew J. White.
" (F) J. J. Bradford.
" (G) A. F. Rudler.
" (G) T. D. Caswell.
" (H) W H. H. Phelps.

3rd Georgia Battalion Infantry Sharp-Shooters No. 2—320.

Lieutenant Colonel N. L. Hutchins.
Major H. H. Smith.
Captain (A) Wm. M. Crumley.
" (B) Garnet McMillan.
" (B) John W King.
" (B) F. E. Ross.
" (C) W E. Simmons.
Captain (C) W D. Anderson.
" (C) N. N. Gober.
" (E) John F Martin.
Adjutant R. J. Davants.
" J. H. Williams.
" P E. Savans.
Assistant Quartermaster J. P Phillips.

4th Battalion Georgia Infantry.

Lieutenant Colonel W H. Stiles.
Major Thos. J. Berry.
Assistant Quartermaster D. N. Speer.
A. C. S., R. H. Cannon.
Surgeon E. N. Calhoun.
Captain (H) M. A. Leake.

4th Georgia Battalion Infantry Sharp-Shooters No. 2.

Ensign A. W. Collins.
Captain (A) S. M. Jackson.
Captain (B) W M. Carter.
" (C) B. M. Turner.

5th Battalion Georgia Infantry.

Major G. M. Gunnels.
Captain (A) W. G. Rice.
" (B) John G. Williams.
Captain (C) Jas. J. Shumate.
" (A) G. M. Gunnells.

6th Georgia Battalion Infantry. No Rolls.

7th Battalion Georgia Infantry. (*Consolidated with* 61*st Georgia.*)

Lieutenant Colonel C. A. L. Lamar.
" " John H. Lamar.
Major John H. Lamar.

8*th Georgia Battalion Infantry*—390.

Lieutenant Colonel J. T. Reid.
" " A. Littlefield.
" " Z. L. Walters.
Major B. F. Hunt.
Assistant Quartermaster H. S. Crawford.
Adjutant J. W Gray.
Captain (A) H. M Lumpkin.
" (B) M Y. Sexton, Cashd.
Captain (C) Wm. Holsonback.
" (D) Z. L. Walters.
" (D) J. A. Hardin.
" (E) John A. Hopper.
" (E) John A. Penn.
" (F) L. N. Jackson, Cashd.
" (F) J. W Boaz.
" (G) T. J. Paxton.

10*th Georgia Battalion Infantry*—478.

Major John E. Rylander, Kd.
" J. D. Frederic.
Ensign Wm. C. Tinsley.
Assistant Quartermaster J. W Whitehead.
Captain (A) Jas. D. Frederick.
Captain (B) Dan Henderson.
" (C) B. F. Bell.
" (D) Wm. L. Jones.
" (E) John L. Adderton.

11*th Georgia Battalion Infantry*—693.

Lieutenant Colonel G. W. M. Williams.
Captain (A) Wm. S. Phillips.
" (B) Pat. Gormley.
" (C) Jas. H. Latimer.
" (D) Phillip G. Tippins.
Captain (E) A. C. Edwards.
" (F) John D. Ashton.
" (G) Isaac M. Aikin.
" (H) Wm. W Williams.
" (I) M. J. Doyle.

12*th Georgia Battalion Infantry*—543.

Lieutenant Colonel H. D. Capers.
Major H. D. Capers.
" Sam'l. H. Crump.
" G. M. Hanvey.
Assistant Quartermaster Ker Boyce.
Adjutant F. W Baker, Kd.
" E. F. Clayton.
Captain (B) J. W. Rudisill.
Captain (D) Geo W. Johnson.
" (C) Sam'l. H. Crump.
" (C) J. H. Taliaferro.
" (I) J. V. H. Allen.
" (D) Geo. M. Hanvey.
" (D) J W Anderson.
" (F) Geo. M Hood.
" (E) J. J. Newsome.

13*th Georgia Battalion Infantry.*

Major Geo. A. Gordon.
Adjutant L. T. Mallory.
A. C. S., W J. Neville.
Surgeon J. B. Read.
Captain (A) Geo. R. Black.
" (B) Jno. R. Giles.
" (C) Jas. T. Buckner.

17*th Georgia Battalion Infantry*—469.

Major Joseph T. Smith.
Assistant Quartermaster T. C. Burch.
Captain (A) J. G McMullin.
" (B) D. L. Gholson.
Captain (C) D. C. Young.
" (D) Geo. Eberhart.
" (E) S. G. Pettis.

18*th Georgia Battalion Infantry.*

Major John Screven.
" W S. Basinger.
Assistant Quartermaster R. H. Footman.
Adjutant E. P Stair.
Captain (A) W S Basinger.
" (A) Thomas T. Screven.
" (B) G. W. Stiles.
" (C) G. C. Rice.

25th Battalion Georgia Infantry.

Lieutenant Colonel G. W Lee.

Georgia State Guards, Stephens' Battalion.

Captain (E) H. D. Burnan.
" (E) Linton Stephens.
" (F) Wm. H. Sworm.
Captain (F) J. A. Shivers.
" (G) R. Walden.

1st Battalion Georgia Reserves.

Major W R. Symons.
Captain (A) J. M. Dye.
" (A) W. H. C. Mills.
" (B) J. Cunningham.
" (C) Wm. M. Davidson.
Captain (D) J. B. Hussey.
" (E) A. Morrison.
" (F) B. Millican.
" (G) R. A. Peeples.
" (H) W. C. Allen.

1st Battalion Georgia Reserves—2. Augusta Fire Brigade.

Lieutenant Colonel C. A. Platt.
Major C. B. Day.
Captain (A) C. W. Hersey.
" (B) J. D. Butt.
Captain (C) C. B. Day.
" (D) J. Henry.
" (E) J. C. Moore.
" (F) J. W Adams.

Atlanta Fire Battalion.

Lieutenant Colonel G. W Lee.
Major J. H. Mecaslin.
Captain (A) J. Sladelman.
" (B) L. Richardson.
" (C) J. A. Taylor.
Captain (D) J. T Banks.
" (E) P Brown.
" (F) T. P. Fleming.
" (G) S. B. Love.
" (H) S. P Bassett.

9th Battalion Georgia Light Guards, Macon Ordnance Guards Battalion.

Colonel Patrick Mell.
Major H. T. Price.
Captain (A) C. W Bond.
" (B) C. Dodd.
Captain (C) A. De Laperrier.
" (D) R. C. Saxon.
" (E) R. H. Cannon.

Provost Battalion Georgia Volunteers.

Captain (A) M. D Lee.
" (A) Wm. McConnell.
" (B) T. J. Echols.
" (C) J. W. Longino.
Captain (D) E. Holmes.
" (E) J. C. Hendrix.
" (F) L L. Strozer.
" (G) R. P. Eberhart.

9th Battalion Georgia Volunteers.

Major J. T. Smith.
Captain (A) J. G. McMullin.
" (B) D. L. Gholston.
Captain (C) D. C. Young.
" (D) G. Eberhart.
" (E) S. G. Pettus.

Miscellaneous Georgia Infantry.

Captain A. C. Davenport.
" John B. Hussey.
" W. H. Banks.
Captain E. R. Whitley.
" A. Boward.
" C. S. Jenkins.

Captain P. Robinson.
" S. M. Ralston.
" D. Crum.
" D. C. Smith.
" F T. Cullens.
" J. R. Hart.
" Wm. A Carswell.
" G. Lumpkin.
" J. F. Cooper.
" W. S. Du Bose.

Captain J. T. McClusky.
" N J. Macarthy.
" W S. Goodwin.
" E. Richards.
" C. H. Way.
" W A. Adams.
" T. A. Skelton.
" J. R Cumming.
" J. Hill, Jr.
" W C. Thornton.

CAVALRY

1st Georgia Cavalry Regiment.

Colonel J. J. Morrison.
" S. W. Davitt.
Lieutenant Colonel A. R. Harper.
Major S. W. Davitt.
Adjutant John N Perkins.
Captain (A) W. M. Hutchings.
" (B) J. H. Strickland.
" (C) M. H. Haynie.

Captain (D) R. Trammell.
" (E) I. M. Blalock.
" (F) V. J. Reynolds.
" (G) J. L. Kerr.
" (H) Wm. M. Tumlin.
" (I) I. F Leak.
" (K) H. A. North.

2nd Georgia Cavalry Regiment.

Colonel W J. Lawton.
" Arthur Hood.
" C. C. Crews.
Lieutenant Colonel Arthur Hood.
" " J. E. Dunlop.
" " F. M Ison.
Major C. A. Whaley.
Adjutant R. F. Lawton.
Captain (A) G. C. Looney.

Captain (B) W. J. Lawton.
" (C) Charles C. Crews.
" (D) O. Winningham.
" (E) F. M. Ison.
" (F) Thos. H. Jordan.
" (G) W. D. Grant.
" (H) W H. Chapman.
" (I) Jas. W Mayo.
" (K) J. C. Dunlop.

3rd Georgia Cavalry Regiment.

Colonel Martin J. Crawford.
" R. E. Kennon.
" W R. Thompson.
Lieutenant Colonel R. E. Kennon.
Major H. H. Johnston.
Adjutant I. P. L. Mudar.
Captain (A) W R. Thompson.
" (B) Beverly A. Thornton.
" (B) W. J. Underwood.

Captain (C) J. H. Persons.
" (D) R. E. Kennon.
" (E) J. T. Thornton.
" (F) Jas. A. Fowler.
" (I) D. H. Collins.
" (H) D. F. Booten.
" (K) A. R. Hughes.
" (I) John W. Hurt.

4th Georgia Cavalry Regiment (1st)—1015.

Colonel Isaac W. Avery.
Lieutenant Colonel W L Cook.
Major D. J. Owen.
" J. R. Stewart.
Adjutant B. H. Newton.
Assistant Quartermaster Wm. K. Moore.
Adjutant J. W Ramsay.

A. C. S., Jos. M. Stones.
Captain (A) R. A. Keith, Kd.
First Lieutenant (A) G. D. Hancock.
Second Lieutenant (A) G. A. Sloan.
" " (A) J. Hill.
Captain (B) G. B. May.
First Lieutenant (B) T. S. May.

Second Lieutenant (B) J. C. McIntyre.
" " (B) J. W Ramsay.
" " (B) Dave May, Kd.
Captain (C) Jeff Johnson.
First Lieutenant (C) H. C Erwin.
Second Lieutenant (C) D. A. Holland.
" " (C) A. R. Bates.
Captain (D) Wm. J. Rogers.
First Lieutenant (D) J. C. Hartman.
Second Lieutenant (D) J. M. Boydston.
" " (D) J. Readdick.
Captain (E) W. L. Cook.
" (E) Clin Wellborn.
" (E) B. C. Woddail.
First Lieuteuant (E) J. Johnson.
Second Lieuteuaut (E) J. J. Jones.
" " (E) A. H. Jones.
Captain (F) C. D. McCutchen.
" (F) Jos. E. Helvingstone, Kd.
" (F) F. G. Horn.
Lieutenant (F) F. G. Horn.
" (F) J. E. Helvingstone.
" (F) J. D. Allen.
" (F) J. W O'Neal.
" (F) J. R. Sloan.
Captaiu (G) Wm. R. Logan.
Captain (G) R. E. Kingsley.
First Lieutenant (G) R. E. Creekmore.
Second Lieutenant (G) H. J. Dean.
" " (G) W. M. C. Parkinsou.
Captain (H) G. H. Graham.
First Licutenant (H) J. T. Freeman.
" " (H) Wm. T. Arnold.
" " (H) W M. Martin.
Captain (I) I. W Avery.
" (I) D. J. Owen.
" (I) H. H. Burke.
First Lieutenant (I) D. J. Owen.
" " (I) H. H. Burke.
Second Lieutenant (I) J. Shehan.
" " (I) A. C. Guntz.
" " (I) G. W Mitchell.
" " (I) R. Sutherland.
Captain (K) J. R. Stewart.
First Lieutenant (K) P W Stewart.
Second Lieuteuant (K) W O. Cain.
" " (K) F. A. Enbanks.
Captain (L) L B. Anderson.
First Lieutenant (L) J. C. N. Foote.
Second Lieutenant (L) W B. Chappell.
" " (L) W A. Nolan.
Captain (M) John D. Ashton.

4th Georgia Cavalry Regiment (2nd)—867.

Colonel Duncan L. Clinch.
Lieutenant Colonel John L. Harris.
Major J. C. McDonald
Captain (A) J. S. Wiggins.
" (B) W M. Hazzard.
" (C) N. A. Brown.
" (D) Jno. Raddick.
Captain (E) R. N. King.
" (F) J. P. Turner.
" (G) A. McMillan.
" (H) T. S. Wylley.
" (I) J. C. Nichols.
" (K) D. Crum.

5th Georgia Cavalry Regiment.

Colonel Robert H. Anderson.
Lieutenant Colonel Ed Bird.
Major R. J. Davant.
A. C S., G. S. Barthelmess.
Assistant Quartermaster T. B. Gowan.
Captain (A) O. C. Hopkins.
" (B) W A. Wiltberger.
Captain (C) R. F. Aikin.
" (D) J. M. Marsh.
" (E) M. N. Call.
" (G) G. B. Beste.
" (H) W. L. Walthour.
" (I) W. Brailsford.
" (K) H. I. Strother.

6th Georgia Cavalry Regiment.

Colonel John R. Hart.
Lieutenaut Colonel B. F. Brown.
" " J. C. Fain.
Major J. C. Fain.
Assistant Quartermaster T. W Fulton.
Adjutant B. F. Chastain.

7th Georgia Cavalry Regiment.

Colonel W P White, Dd.
Lieutenant Colonel J. L. McAllister, Kd.
Major E. C. Anderson.
" John T. Davis.
Captain (A) W D. Russell.
" (A) E. W Moise.
" (B) A. R. Miller.
" (B) L. J. Smith.

Captain (C) J. N. Davis.
" (C) F. E. Burke.
" (C) W. E. Cropp.
" (C) E. C. Anderson.
" (D) R. H. Wylley.
" (D) J. H. Sykes.
" (D) P. A. L. Morris.
" (E) H. K. Harrison.
" (E) F. Beasley.
" (F) R. F. Jones.
" (F) J. R. Johnson.
Captain (F) C. C. Bowen.
" (G) F. W Hopkins.
" (G) T. S. Hopkins.
" (H) J. Hines.
" (H) J. L. McAllister.
" (I) J. W Brumby.
" (I) F. G. Pitt.
" (K) L. S. Quarterman.
" (K) L. W. Phillips.
" (K) I. S. McAllister.

8th Georgia Cavalry Regiment.

Colonel R. J. Griffin.
Lieutenant Colonel J. M. Millen.
Major J. M. Millen.
" W. G. Thomas.
" S. B. Spencer.
Adjutant T. G. Pond.
" M. E. Williams.
Captain (A) J. P. Davis.
" (A) T. S. Paine.
" (A) H. L. Norfleet.
" (A) R. Towns.
" (B) B. B. Bower.
" (B) B. L. Screven.
" (B) W G. Thompson.
" (B) J. N. Nichols.
" (C) W L. A. Ellis.
" (C) J. G. Smith.
" (D) T. R. Duval.
" (D) M. J. Smith.
Captain (D) S. B. Spencer.
" (D) W. H. Farrertt.
" (E) W. H. Thompson.
" (E) J. G. Cress.
" (E) J M. Turpin.
" (E) W. J, Deas.
" (F) S. B. Jones.
" (F) M. E. Williams.
" (G) P. Gray.
" (G) J. R. Harper.
" (H) T. A. James.
" (I) A. J. Love.
" (I) J. B. Edgerton.
" (I) J. A. Richardson.
" (I) W. A. Lane.
" (I) J. T. Kennedy.
" (K) S. L. Turner.
" (K) E. W Westbrook.
" (L) T. G. Barham.

9th Georgia Regiment Cavalry.

Colonel G. I. Wright.
Lieutenant Colonel B. S. King.
Major M. D. Jones.
Adjutant Jas. Y. Harris.
Captain (A) T. B. Archer.
" (A) Z. A. Rice.
" (A) T. P. Stovall.
" (A) B. C. Ring.
" (A) O. H. P Juhan.
" (A) J. J. Thomas.
" (A) B. C. Yancey.
" (A) C. H. Sanders.
" (A) W L. Conyers.
" (B) M. D. Jones
" (B) L. J. Glenn.
" (B) Wm. W McDaniels.
" (C) W G. Deloney.
" (C) T. C. Williams.
" (D) G. I. Wright.
" (D) C. H. Camfield.
Captain (D) W. J. Lawton.
" (D) J F. Wilson.
" (D) W. A. Winn.
" (E) W C. Dial.
" (E) B. S. King.
" (E) T. B. Cox.
" (E) W. S. C. Morris.
" (F) W D. Jones
" (F) Wm T. S. Powell.
" (F) G. W. Moore.
" (G) Wm. M. Williams.
" (G) J. C. Barnett.
" (G) G. B. Knight.
" (H) J. E. Ritch.
" (H) W A. Cain.
" (I) W. B. Young.
" (I) Wm. Duke.
" (K) F. E. Eve.
" (K) J. J. Floyd.
" (L) A. M Rogers.

10th Georgia Cavalry Regiment.

Colonel V H. Taliaferro.
Lieutenant Colonel F. D. Claiborne.
Major Jesse H. Sikes.
Captain (A) E W. Moise.
Lieutenant (A) J. Cox.
" (A) Wm. E. Crapp, Kd.

Lieutenant (A) J. E. Moses.
Captain (B) L. J. Smith.
Lieutenant (B) J. M. Buyers.
" (B) G. W. Austin.
" (B)S. T. Kingsberry.
Captain (C) J. H. Sikes.
Lieutenant (C) P A. S. Morris.
" (C) I. W Ware.
Captain (D) F. E. Burke.
Lieutenant (D) J. N. Carter.
" (D) P E. Baker.
Captain (E) F. A. Beasley.
Lieutenant (E) T. C. McLendon.
" (E) Jas. Cody.
" (E) C. D. Rainwater.
Captain (K) F. G. Pitt.
Lieutenant (K) Y. B. Sharpe.
" (K) B. P. Jenkins.
" (K) M. B. Pitt.
Captain (L) J. B. Bonner.
" (L) S. T. Kingsberry.
Lieutenant (L) T C. Sharpe.
" (L) H. I. Smith.
" (L) H. I. Boon.

11th Georgia Cavalry Regiment.

Colonel A. Young.
Lieutenant Colonel H. W Barday.
Major Madison Bell.
Captain (A) M. Bell.
" (B) E. P Bedell.
" (C) J. Reid
" (D) D. M. West.
Captain (D) J. M. Crawford.
" (E) J. Kelly.
" (F) W. C. Price.
" (G) D. M. West.
" (H) W S. Erwin.
" (I) J. N. Dorsey.
" (K) N. T. Taber.

2nd Georgia Regiment of Partisan Rangers.

Colonel A. A. Hunt.

1st Battalion Georgia Cavalry.

Major Robert H. Anderson.
Adjutant R. Wayne.
" Robert Grant.
Assistant Quartermaster R. H. Footman.
Captain O. C. Hopkins.
" Wm. Hughes, Jr.
" Abial Winn.

1st Battalion Georgia Cavalry No. 2.

Captain (1) O. G. Cameron.
" (2) John Shawhan.
" (3) Jas. M. Thomas.
" (4) Ezekiel F. Clay.
Captain (5) John B. Holliday.
" (6) R. G. Stouer.
" (7) P. M. Millen.

2nd Battalion Georgia Cavalry.

Lieutenant Colonel Edward Bird.
Major R. J. Davant.
Captain (A) H. J. Strobhar.
" (B) N. U. McCall.
Captain (C) G. B. Best.
" (D) W. H. Wiltberger.
" (E) J. M. Marsh.
" (F) R. F. Aikin.

3rd Battalion Georgia Cavalry.

Lieutenant Colonel Duncan L. Clinch.
Major John L. Harris.
Assistant Quartermaster H. R. Fort.
Captain (A) A. C. Strickland.
" (B) I. C. McDonald.
Captain (C) I. S. Wiggins.
" (D) W M. Hazzard.
" (E) N. A. Brown.
" (F) John Readdick.

9th Battalion Georgia Cavalry.

Major Wm. Phillips.
Captain (A) R W. Hamrick.
" (B) G. D. Rice.
Captain (C) W. A. Austen.
" (D) J. Loveless.
" (F) T. R. Sheats.

10*th Cavalry Georgia Battalion.*

Captain (A) M. A. Candler.
" (B) A. C. Sloan.
" (C) G. T. Rakestraw.
" (D) B. M. Long.
Captain (E) A. R. Williams.
" (F) E. S. Ferguson.
" (G) W S. R. Hardman.

15*th Battalion Georgia Cavalry (Partisan Rangers).*

Lieutenant Colonel J. R. Griffin.
Assistant Quartermaster R. P. Howell.

16*th Battalion Georgia Cavalry (Partisan Rangers).*

Lieutenant Colonel F. M. Nix.
" " Sam'l J. Winn.
Major S. J. Winn.
" E. Y. Clarke.
Adjutant E. Y. Clarke.
" Thos. E. Winn.
Captain (A) T. F Jones.
" (C) A. J. Walters.
Captain (D) David A. Camp.
" (E) Wm. L. Merler.
" (F) John D. Simms.
" (G) F. J. Whitehead.
" (B) Wm. B. Bailey.
" (H) J. F. Ray.
" (I) J. A. Strange.
" (K) W S. Thomas.

19*th Georgia Battalion Cavalry.*

Major Charles T. Goode.
Assistant Quartermaster Jas. Goode.
Captain (A) Thaddeus G. Holt.
Captain (B) James L. Leath.
" (C) W I. Vason.
" (D) G. R. Coley.

20*th Georgia Battalion Cavalry (Partisan Rangers)*—293.

Lieutenant Colonel John M. Millen.
Major S. B. Spencer.
Adjutant M. E. Williams
Assistant Quartermaster L. S. Varuedoe.
Captain (A) Sam'l B. Spencer.
" (A) Moses J. Smith.
" (B) W G. Thompson.
Captain (C) J. G. Cress.
" (D) Wm. A. Lane.
" (E) A. J. Love.
" (E) Thos. S. Paine.
" (F) J. B. Peacock.
" (F) M. E. Williams.

21*st Battalion Georgia Cavalry (Partisan Rangers).*

Major Wm. P White.
Adjutant B. Green
Assistant Quartermaster Wm. L Platt.
" " Wm. F. Laws.
Captain (A) W D. Russell.
" (B) Jerry R. Johnson.
Captain (B) C. C. Bowen.
" (C) R. L. Miller.
" (D) W H. Banks, Cashd.
" (D) H. K Harrison.
" (E) R. F. Jones.

23*rd Battalion Georgia Cavalry.*

Lieutenant Colonel Isaac W Avery.
Adjutant B. H. Newton.
Assistant Quartermaster Wm. K. Moore.
A. C. S., Joseph Stones.
Captain (A) I. W Avery.
Captain (A) W. L. Cook.
" (B) Jeff Johnson.
" (C) G. B. May.
" (D) C. D. McCutchen.
" (E) D. J. Owen.

24*th Georgia Battalion Cavalry.*

Major Edward C. Anderson, Jr.
Adjutant A. J. Setze.
Assistant Quartermaster B. C. Henry.
Captain (A) T. S. Hopkins.
Captain (B) John N. Davis.
" (C) R. H. Wylley.
" (C) John W Brumby.

29th Georgia Battalion Cavalry.

Lieutenant Colonel A. Hood.
Captain (A) A. W. Hunter.
" (B) J. T. Wimberly.
" (C) F. J. Browning.
" (E) L. Little.
Captain (F) F. L. Pipper.
" (G) S. C. Hall.
" (H) R. W Wade.
" (I) J. C. Lasseter.

30th Battalion Georgia Cavalry.

Lieutenant Colonel A. Young.
Captain (A) M. Bell.
" (B) E. P Bedell.
" (C) J. Beid.
" (D) D M. West.
" (D) J. M. Crawford.
Captain (E) J. Kelly.
" (F) W. C. Price.
" (H) W. S. Erwin.
" (I) J. N. Dorsey.
" (K) N. T. Taber.

Stephens' Battalion Georgia Cavalry.

Lieutenant Colonel Linton Stephens.
Major J. A. Shivers.
Adjutant W H. Lawson.
Captain (A) J. Raley.
Captain (B) T. E. Brown.
" (C) S. G. White.
" (D) J. F. Geev.

Culberson's Battalion State Guard Cavalry.

Colonel A. B. Culberson.
Captain (A) T. A. Sharpe.
" (B) J. B. Rogers.
Captain (C) J. M. Easterling.
" (D) Wm. Mahan.
" (F) J. Jones.

Stephens' Cavalry Battalion.

Major John T. Stephens.
Captain (A) B. G. Lockett.
" (B) J. W. Ellis.
Captain (C) J. R. Banks.
" (D) C. F. Redding.

Miscellaneous Georgia Cavalry.

Captain H. A. Gartrell.
" J. F. Waring.
" T. J Key.
" W. C. Humphreys.
Captain L. W. Humphreys.
" T. J. Watts.
" J. S. Pemberton.

General S. D. Lee's Escort.

Captain T. M. Nelson, Kd.
Captain Gill Ragland.

Georgia Mountain Dragoons.

Captain Isaac W Avery.

ARTILLERY

9th Battalion Georgia Artillery.

Major A. Leyden.
Adjutant G. A. Lofton.
Assistant Quartermaster J. W. Brown.
Surgeon N. A. D'Alvigny.
Captain (A) Elias Holcombe.
" (B) Wm. W. Sentell.
Captain (B) H. P. Randall.
" (C) George W. Atkinson.
" (C) A. M. Wolihin.
" (C) B. W. York.
" (D) T. M. Peeples.
" (E) B. F. Wyly.

11th Battery Georgia Artillery.

Lieutenant Colonel Allen S. Cutts.
Major A. S. Cutts.
" John Lane.
Assistant Quartermaster Thos. H. Johnston.
Captain (A) A. S. Cutts.
" (A) H. M. Ross.
Captain (B) G. M. Patterson.
" (C) C. C. P. Crawford.
" (C) J. Lane.
" (D) Jas. A. Blackshear.
" (E) John T. Wingfield.

12th Georgia Battery Artillery.

Lieutenant Colonel H. D. Capers.
Major H. D. Capers.
" S. H. Crump.
" G. M. Hanvey.
Adjutant F. W. Baker, Kd.
" E. F. Clayton.
Assistant Quartermaster Ker Boyce
Captain (A) J. W. Anderson.
Captain (A) G. M. Hanvey.
" (B) J. W. Rudisill.
" (B) S. H. Crump.
" (C) G. W. Johnson.
" (D) J. N. Taliaferro.
" (E) J. J. Newsome.
" (F) G. M. Hood.

14th Georgia Battery Artillery.

Lieutenant Colonel J. T. Montgomery.
Major Joseph Palmer.
Adjutant J. H. Cox.
A. C. S., C. T. Swift.
Captain (A) J. Palmer.
" (B) Thos. H. Dawson.
Captain (C) C. B. Ferrell.
" (D) E. R. King.
" (E) Franklin Roberts.
" (H) Jas. G. Gibson.
" (F) S. A. Moses.

22nd Georgia Battery Siege Artillery—666

Lieutenant Colonel Wm. R. Pritchard.
Major John B. Gallie, Kd.
" M. J. McMullan.
" D. T. Bertody.
Adjutant J. J. Symons.
" H. Symons.
Assistant Quartermaster H. R. Washburn.
" " E. J. Dawson.
Captain (A) T. D. Bertody.
" (A) J. M. Cambell.
" (A) G. R. Niles.
" (B) M. J. McMullan
Captain (B) D. A. Smith.
" (C) John Lama.
" (C) J. A. Beals.
" (C) J. B. Gallie.
" (D) Richard J. Nunn.
" (D) J. Manning.
" (E) C. Hussey.
" (E) L. J. Guilmartin.
" (F) A. Bonaud.
" (F) Geo. A. Nichols.
" (G) F. T. Cullens.
" (H) R. A. Turnipseed.

28th Georgia Battery Artillery.

Major A. Bonaud.
Captain (A) J. A. Cotten.
" (B) L. B. Fickling.
" (C) C. P. Crawford.
" (D) J. Wilcher.
Captain (E) M. T. McGregor,
" (F) J. R. Blount.
" (G) J. D. Godwin.
" (H) T. J. Key.
" (I) R. F. Bishop.

Cherokee Light Artillery.

Captain M. V D. Corput. | Captain John G. Yeiser.

White's Artillery.

Captain B. F. White.

Terrell Light Artillery.

Captain E. G. Dawson. | Captain John W Brooks.

Columbus Light Artillery.

Captain E. Croft.

Campbell Siege Artillery.

Captain C. G. Campbell.

Chestatee Artillery.

Captain T. H. Bomar.

Martin's Light Artillery.

Captain R. Martin.

Jackson Artillery.

Captain G. A. Dure.

Daniell's Light Artillery.

Captain C. Daniells.

Jo. Thompson Artillery.

Captain C. R. Hanleiter. | Captain L. J. Parr.

Pritchard's Artillery.

Captain E. E. Pritchard.

Maxwell Artillery.

Captain J. A. Maxwell.

Macon Light Artillery.

Captain C. W Slaton. | Captain H. N. Ells.

Scogin's Light Artillery.

Captain J. Scogin. | Captain O. C. Gibson,

Oglethorpe Siege Artillery.

Captain (A) J. Lama. | Captain (B) G. F. Oliver.
" (B) Richard J. Nunn. |

Clinch's Artillery.

Captain N. B. Clinch.

Mercer Artillery.

Captain A. J. Macarthy.

Echols Light Artillery.

Captain J. H. Tiller.

Barnwell's Light Artillery.

Captain A. Smith Barnwell.

Bartow Artillery.

Captain T. D. Bertody. | Captain A. C. Dunn.

Massenburg Battery.

Captain T. L. Massenburg. | Captain G. H. Dure.

Palmer's Artillery.

Captain M. W Harris. | Captain J. H. Yates.
" R. W Anderson.

Nelson's Artillery.

Captain J. Milledge.

Chatham Artillery.

Captain J. F. Wheaton. | Captain J. S. Claghorn.

Girardey's Battery.

Capt. J. P Girardey.

Howell's Battery.

Captain Evan P Howell.

Miscellaneous Artillery Roll.

Captain F. T. Collins.	Captain J. W Brown.
" M. Kendrick.	" J. P. Girardey.
" J. H. Baker.	" H. H. Carlton.
" S. P. Hamilton.	" E. Croft.
" J. K. Booton.	" E. P Lumpkin.
" J. Talley.	" A. J. White.
" J. C. Fraser.	" C. C. Campbell.
J. P. W Read.	" J. S. Cleghorn.
" J. D. Hawkins.	" E. E. Pritchard.
" G. T. Barnes.	" Wm. W. Sentell.
" C. Sweet.	" J. T. Culpeper.
" F. Blodgett, Jr.	" C. Daniells.

Independent Echol's Artillery.

Captain John H. Tiller.

SUPPLEMENT TO APPENDIX "A."

ADDITIONAL NAMES AND FACTS.

Major General Jeremy F Gilmer.
" " Samuel G. French.
Brigadier General Paul J. Quattlebaum.
" " Robert H. Chilton, Dd.
" " C. C. Crews.
Colonel Sewall L. Fremont.
Lt. Col. 1st Ga. Regulars H. D D. Twiggs.
Adjutant " " Robert H. Atkinson.
Major " " E. W. Hazzard.
Captain Co (F) S. R. Lawrence,
" " (G) M. M. Potter.
" " (H) D. S. Kennedy.
" " (I) T. M. McGregor.
" " (K) T. J Abbott.
" " (G) J. C. Fain.
Captain Co. (K) F. T. Callens.
" " (M) P Hamilton.
Adjutant 10th Ga. Inf. Leroy Napier.
Capt (A) " " " Richard Hawes.
" (B) " " " John B. Weems.
" (E) " " " G. G. Crawford.
" (F) " " " John Stovall.
" (H) " " " Wm. Ashburn.
" (I) " " " Wm. P Redwine.
" (G) " " " O. Horne.
" (D) " " " Thos. D'Antignac.
" (D) " " " A. D'Antignac.
" (D) " " " Thos. Adams.
Adj. 6th Ga. Infantry, B. Russell.
" " " " Robert S. Connell.

CHANGES OF ORGANIZATION.

3rd Bat. Ga. Inf. consolidated in 37th Ga. Inf. Reg.

4th Bat. Ga. Inf. consolidated in 60th Ga. Inf. Reg.

7th Bat. Ga. Inf. consolidated in 61st Ga. Inf. Reg.

30th Ga. Bat Cav. and 4 companies made 11th Ga. Cav. Reg

7 companies from 7th Confederate Cav. and 3 companies from 20th Ga. Bat. Cav. made 10th Ga. Cav. Reg.

10 companies Cobb's Ga. Legion made 9th Ga. Cav. Reg.

7 companies 62nd Ga. Regt. and 3 companies of 20th Ga. Bat. Cav. made 8th Ga. Cav. Reg.

15th Bat. Ga Partisan Rangers merged in 62nd Ga Reg.

21st Bat. Ga. Partisan Rangers and 24th Bat. made 7th Ga. Cav. Reg.

67th Ga. Inf. Reg. reported with——Lester, Col. But no rolls.

10th Confederate Cavalry made up of 19th Ga. Bat. Partisan Rangers and 5 Alabama companies. Col. C. T. Goode, Lt. Col. T. G. Holt. Major W. J. Vason, Adjutant Joe Bass.

Staff of Gen. A H. Colquitt. Captains Geo. G. Grattam and Jemy Jackson, A. A. G. Lts. Jas. Randall and H. H. Colquitt, A D. C. Major R. N. Ely, A. Q. M. J. B. Morgan, A. C. S. Lt. H. Estill, Ordnance.

Lt. Col. E. Y. Clarke of 16th Ga. Bat. Partisan Rangers holds commission stating his promotion for gallantry on the field.

APPENDIX B.

CORRESPONDENCE BETWEEN JEFFERSON DAVIS, PRESIDENT OF THE CONFEDERACY, AND JOSEPH E. BROWN, GOVERNOR OF GEORGIA, ON CONSCRIPTION.

LETTER OF MR. DAVIS.

EXECUTIVE DEPARTMENT,
RICHMOND, May 29th, 1862.

Dear Sir:—I received your letter of the 8th inst., in due course, but the importance of the subject embraced in it required careful consideration; and this, together with other pressing duties, has caused delay in my reply.

The constitutional question discussed by you in relation to the Conscription Law had been duly weighed before I recommended to Congress the passage of such a law; it was fully debated in both houses; and your letter has not only been submitted to my Cabinet, but a written opinion has been required from the Attorney-General. The constitutionality of the law was sustained by very large majorities in both houses. This decision of the Congress meets the concurrence, not only of my own judgment, but of every member of the Cabinet; and a copy of the opinion of the Attorney General, herewith enclosed, develops the reasons on which his conclusions are based.

I propose, however, from my high respect for yourself, and for other eminent citizens who entertain opinions similar to yours, to set forth, somewhat at length, my own views on the power of the Confederate Government over its own armies and the militia, and will endeavor not to leave without answer any of the positions maintained in your letter.

The main, if not the only purpose for which independent States form Unions or Confederations, is to combine the power of the several members in such manner as to form one united force in all relations with foreign powers, whether in peace or in war. Each State amply competent to administer and control its own domestic government, yet too feeble successfully to resist powerful nations, seeks safety by uniting with other States in like condition, and by delegating to some common agent the combined strength of all, in order to secure advantageous commercial relations in peace and to carry on hostilities with effect in war.

Now, the powers delegated by the several States to the Confederate Government, which is their common agent, are enumerated in the 8th section of the Constitution, each power being distinct, specific, and enumerated in paragraphs separately numbered. The only exception is the 18th paragraph, which, by its own terms, is made dependent on those previously enumerated, as follows:

"18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers," etc.

Now, the *war powers* granted to the Congress are conferred in the following paragraphs:

No 1 gives authority to raise "revenue necessary to pay the debts, *provide for the common defense*, and carry on the government," etc.

"No. 11, *to declare war*, grant letters of marque and reprisal, and make rules concerning captures on land and water."

"No. 12, to *raise and support armies*; but no appropriation of money to that use shall be for a longer term than two years."

"No. 13, *to provide and maintain a navy*."

"No. 14, to make rules for the government and regulation of the *land and naval forces*."

It is impossible to imagine a more broad, ample and unqualified delegation of the whole war power of each State than is here contained, with the solitary limitation of the appropriations to two years. The States not only gave power to raise money for the common defense; to declare war; to raise and support armies (in the plural); to provide and maintain a navy; to govern and regulate both land and naval forces; but they went further, and covenanted, by the 3rd paragraph of the 10th section, not "to engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

I know of but two modes of raising armies within the Confederate States, viz.: voluntary enlistment, and draft or conscription. I perceive, in the delegation of power to raise armies, no restriction as to the mode of procuring troops. I see nothing which confines Congress to one class of men, nor any greater power to receive volunteers than conscripts into its service. I see no limitation by which enlistments are to be received of individuals only, but not of companies, or battalions, or squadrons, or regiments. I find no limitation of time of service, but only of duration of appropriation. I discover nothing to confine Congress to waging war within the limits of the Confederacy, nor to prohibit offensive war. In a word, when Congress desires to raise an army, and passes a law for that purpose, the solitary question is under the 18th paragraph, viz.: "Is the law one that is necessary and proper to execute the power to raise armies," etc.?

On this point you say: "But did the necessity exist in this case?" The Conscription Act cannot aid the Government in increasing the supply of *arms* or *provisions*, but can only enable it to call a larger number of *men* into the field. The difficulty has never been to get *men*. The states have already furnished the Government more than it can arm," etc.

I would have very little difficulty in establishing to your entire satisfaction that the passage of the law was not only necessary, but that it was absolutely indispensable; that numerous regiments of twelve months men were on the eve of being disbanded, whose places could not be supplied by new levies in the face of superior numbers of the foe, without entailing the most disastrous results; that the position of our armies was so critical as to fill the bosom of every patriot with the liveliest apprehension; and that the provisions of this law were effective in warding off a pressing danger. But I prefer to answer your objection on other and broader grounds.

I hold, that when a specific power is granted by the Constitution, like that now in question, "to raise armies," Congress is the judge whether the law passed for the purpose of executing that power, is "necessary and proper." It is not enough to say that armies might be raised in other ways, and that, therefore, this particular way is not "necessary." The same argument might be used against *every* mode of raising armies. To each successive mode suggested, the objection would be that other modes were practicable, and that, therefore, the particular mode used was not "necessary." The

true and only test is to inquire whether the law is intended and calculated to carry out the object; whether it devises and creates an instrumentality for executing the specific power granted; and if the answer be in the affirmative, the law is constitutional. None can doubt that the Conscription Law is calculated and intended to "raise armies." It is, therefore, "necessary and proper" for the execution of that power, and is constitutional, unless it comes into conflict with some other provision of our Confederate Compact.

You express the opinion that this conflict exists, and support your argument by the citation of those clauses which refer to the militia. There are certain provisions not cited by you, which are not without influence on my judgment, and to which I call your attention. They will aid in defining what is meant by "militia," and in determining the respective powers of the States and the Confederacy over them.

The several States agree "not to keep *troops* or ships of war in time of peace." Art. 1, sec. 10, par. 3.

They further stipulate, that "a well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." Sec. 9, par. 13.

That "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger," etc. Sec. 9, par. 16.

What then are militia? They can only be created by law.—The arms-bearing inhabitants of a State are liable to become its militia, if the law so order; but in the absence of a law to that effect, the men of a State capable of bearing arms are no more militia than they are seamen.

The Constitution also tells us that militia are not *troops*, nor are they any part of the *land or naval forces:* for militia exist in time of peace, and the Constitution forbids the States to keep troops in time of peace, and they are expressly distinguished and placed in a separate category from *land or naval forces*, in the 16th paragraph, above quoted; and the words *land or naval forces* are shown, by paragraphs 12, 13 and 14, to mean the army and navy of the Confederate States.

Now, if militia are not the citizens taken singly, but a body created by law; if they are not troops, if they are no part of the army and navy of the Confederacy—we are led directly to the definition quoted by the Attorney General, that militia are a "*body* of soldiers in a State enrolled for discipline." In other words, the term "militia" is a collective term, meaning a *body* of men organized, and cannot be applied to the separate individuals who compose the organization.

The Constitution divides the whole military strength of the States into only two classes of organized bodies—one, the armies of the Confederacy; the other, the militia of the States.

In the delegation of power to the Confederacy, after exhausting the subject of declaring war, raising and supporting armies, and providing a navy, in relation to all which the grant of authority to Congress is *exclusive*, the Constitution proceeds to deal with the other organized body, the militia, and instead of delegating power to Congress alone, or reserving it to the States alone, the power is divided as follows, viz.: Congress is to have power—

"To provide for calling forth the militia to execute the laws of the *Confederate* States, suppress insurrections, and *repel invasions*." Sec. 8. Par. 15.

"To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate states; *reserving to the States respectively the appointment of officers and the authority of training the militia* according to the discipline prescribed by Congress." Par. 16.

Congress, then, has the power to provide for *organizing* the arms-bearing people of the States into militia. Each *State* has the power to *officer* and *train* them when organized.

Congress may call forth the militia to execute *Confederate* laws. The *State* has not surrendered the power to call them forth to execute *State* laws.

Congress may call them forth to repel invasion; so may the State, for it has expressly reserved this right.

Congress may call them forth to suppress insurrection; and so may the *State*, for the power is impliedly reserved of governing all the militia except the part in actual service of the Confederacy.

I confess myself at a loss to perceive in what matter these careful and well defined provisions of the Constitution regulating the organization and government of the militia, can be understood as applying in the remotest degree to the armies of the Confederacy; nor can I conceive how the grant of *exclusive* power to declare and carry on war by armies raised and supported by the Confederacy, is to be restricted or diminished by the clauses which grant a *divided* power over the militia. On the contrary, the delegation of authority over the militia, so far as granted, it appears to me to be plainly an *additional enumerated* power, intended to strengthen the hands of the Confederate Government in the discharge of its paramount duty, the common defense of the States.

You state, after quoting the 12th, 15th and 16th grants of power to Congress, that, "These grants of power all relate to the same subject matter, and are all contained in the same section of the Constitution, and by a well known rule of construction, must be taken as a whole, and construed together."

This argument appears to me unsound.—*All* the powers of Congress are enumerated in one section; and the three paragraphs quoted can no more control each other by reason of their location in the same section, than they can control any of the other paragraphs preceding, intervening, or succeeding. So far as the subject matter is concerned, I have already endeavored to show that the armies mentioned in the 12th paragraphs are a subject matter as distinct from the militia mentioned in the 15th and 16th, as they are from the navy mentioned in the 13th. Nothing can so mislead as to construe together and as a whole, the carefully separated clauses which define the different powers to be exercised over distinct subjects by the Congress. But, you add, that, "by the grant of power to Congress to raise and support armies, without qualification, the framers of the Constitution intended the regular armies of the Confederacy, and not armies composed of the whole militia of all the States."

I must confess myself somewhat at a loss to understand this position If I am right, that the militia is a *body* of enrolled State soldiers, it is not possible, in the nature of things, that armies raised by the Confederacy can "be composed of the whole militia of all the States." The militia may be called forth, in whole or in part, into the Confederate service, but do not thereby become part of the "armies raised" by Congress. They remain militia, and go home when the emergency which provoked their call has ceased. Armies raised by Congress are of course raised out of the *same population* as the militia organized by the States; and to deny to Congress the power to draft a citizen into the army, or to receive his voluntary offer of services because he is a member of the State militia, is to deny the power to raise an army at all; for, practically, all men

fit for service in the army may be embraced in the militia organizations of the several States. You seem, however, to suggest, rather than directly to assert, that the Conscript law may be unconstitutional, because it comprehends all arms-bearing men between 18 and 35 years: at least this is an inference which I draw from your expression, "armies composed of the *whole* militia of *all* the States." But it is obvious, that if Congress have power to draft into the armies raised by it any citizens at all (without regard to the fact whether they are or not members of militia organizations), the power must be co-extensive with the exigencies of the occasion, or it becomes illusory; and the extent of the exigency must be determined by Congress; for the Constitution has left the power without any other check or restriction than the Executive veto. Under ordinary circumstances, the power thus delegated to Congress is scarcely felt by the States. At the present moment, when our very existence is threatened, by armies vastly superior in numbers to ours, the necessity for defence has induced a call, not "for the whole militia of all the States," not for *any* militia, but for *men* to compose *armies* for the Confederate States.

Surely, there is no mystery on this subject. During our whole past history, as well as during our recent one year's experience as a new Confederacy, the militia "have been called forth to repel invasion" in numerous instances; and they never came otherwise than of bodies organized by the States, with their company, field, and *general officers:* and when the emergency had passed, they went home again.

I cannot perceive how any one can interpret the Conscription Law as taking away from the States the power to appoint officers to their militia. You observe on this point in your letter, that unless your construction is adopted, "the very object of the States in reserving the power of appointing the officers, is defeated, and that portion of the Constitution is not only a nullity, but the whole military power of the States, and the entire control of the militia, with the appointment of the officers, is vested in the Confederate Government, whenever it chooses to call its own action 'raising an army,' and not calling forth the militia."

I can only say, in reply to this, that the power of Congress depends on the real nature of the act it proposes to perform, not on the name given to it; and I have endeavored to show that its action is merely that of "raising an army," and bears no semblance to "calling forth the militia." I think I may safely venture the assertion, that there is not one man out of a thousand of those who will do service under the Conscription Act that would describe himself, while in the Confederate service, as being a militia man; and if I am right in this assumption, the popular understanding concurs entirely with my own deductions from the Constitution as to the meaning of the word "militia."

My answer has grown to such a length that I must confine myself to one more quotation from your letter. You proceed: "Congress shall have power to *raise armies*. How shall it be done? The answer is clear. In conformity to the provisions of the Constitution, which expressly provides that when the militia of the States are called forth to *repel invasion*, and employed in the service of the Confederate States, which is now the case, the State shall appoint the officers."

I beg you to observe that the answer which you say is clear, is not an answer to the question put. The question is: How are armies to be raised? The answer given is, that when militia are called forth to repel invasion, the State shall appoint the officers.

There seems to me to be a conclusive test on this whole subject. By our Constitution Congress may declare war, *offensive* as well as *defensive*. It may acquire territory.—Now, suppose that for good cause, and to right unprovoked injuries, Congress should declare

war against Mexico, and invade Sonora. The militia could not be called forth in such a case, the right to call it being limited to "repel invasions." Is it not plain that the law now under discussion if passed under such circumstances, could by no possibility be aught else than a law to "raise an army?" Can one and the same law be construed into a "calling forth the militia," if the war be defensive, and a "raising of armies," if the war be offensive?

At some future day, after our independence shall have been established, it is no improbable supposition that our present enemy may be tempted to abuse his naval power, by depredation on our commerce, and that we may be compelled to assert our rights by offensive war. How is it to be carried on? Of what is the army to be composed? If this Government cannot call on its arms-bearing population otherwise than as militia, and if the militia can only be called forth to repel invasion, we should be utterly helpless to vindicate our honor or protect our rights. War has been well styled "the terrible litigation of nations." Have we so formed our Government, that in this litigation we must never be plaintiff? Surely this cannot have been the intention of the framers of our compact.

In no aspect in which I can view this law, can I find just reason to distrust the propriety of my action in approving and signing it; and the question presented involves consequences, both immediate and remote, too momentous to permit me to leave your objections unanswered.

In conclusion, I take great pleasure in recognizing that the history of the past year affords the amplest justification for your assertion, that if the question had been, whether the Conscription Law was necessary in order to raise men in Georgia, the answer must have been in the negative. Your noble State has promptly responded to every call that it has been my duty to make on her; and to you, personally, as her Executive, I acknowledge my indebtedness for the prompt, cordial, and effective co-operation you have afforded me in the effort to defend our common country against the common enemy.

I am, very respectfully,
Your obedient servant,

JEFFERSON DAVIS.

His Excellency Jos. E. Brown,
Governor of Georgia, Milledgeville.

REPLY OF GOV BROWN.

Atlanta, June 21st, 1862.

His Excellency Jefferson Davis, President, etc.

Dear Sir:—I have the honor to acknowledge the receipt of your letter of the 29th ult., in reply to mine of the 8th of the same month, which reached my office, at Milledgeville, on the 8th inst., together with a copy of the written opinion of the Attorney General, and has since been forwarded to me at Canton, where I was detained by family affliction.

Your reply, prepared after mature deliberation and consultation with a Cabinet of distinguished ability, who concur in your view of the constitutionality of the Conscription Act, doubtless presents the very strongest argument in defense of the Act, of which the case is susceptible.

Entertaining, as I do, the highest respect for your opinions and those of each individ-

ual member of your Cabinet, it is with great diffidence that I express the conviction, which I still entertain, after a careful perusal of your letter, that your argument fails to sustain the constitutionality of the Act; and that the conclusion at which you have arrived is maintained by neither the contemporaneous construction put upon the Constitution by those who made it, nor by the practice of the United States Government, under it, during the earlier and better days of the Republic, nor by the language of the instrument itelf, taking the whole context, and applying to it the well established rules by which all constitutions and laws are to be construed.

Looking to the magnitude of the rights involved, and the disastrous consequences which, I fear, must follow what I consider a bold and dangerous usurpation by Congress of the reserved rights of the States, and a rapid stride towards military despotism, I very much regret that I have not, in the preparation of this reply, the advice and assistance of a number equal to your Cabinet, of the many "eminent citizens" who, you admit, entertain with me, the opinion that the Conscription Act is a palpable violation of the Constitution of the Confederacy. Without this assistance, however, I must proceed individually to express to you some views, in addition to those contained in my former letters, and to reply to such points made by you in the argument, as seem to my mind to have the most plausibility in sustaining your conclusion.

The sovereignty and independence of each one of the thirteen States at the time of the adoption of the Constitution of the United States, will not, I presume, be denied by any, nor will it be denied that each of these States acted in its separate capacity, as an independent sovereign, in the adoption of the Constitution. The Constitution is, therefore, a league between sovereigns. In order to place upon it a just construction, we must apply to it the rules, which, by common consent, govern in the construction of all written constitutions and laws. One of the first of these rules is, to inquire what was the intention of those who made the Constitution.

To enable us to learn this intention, it is important to inquire what they did, and what they said they meant, when they were making it. In other words, to inquire for the contemporaneous construction put upon the instrument by those who made it, and the explanations of its meaning by those who proposed each part in the Convention, which induced the Convention to adopt each part.

I incorporated into my last letter a number of quotations from the debates of prominent members of the Convention upon the very point in question, showing that it was not the intention of the Convention to give to Congress the unlimited control of all the men able to bear arms in the States, but that it was their intention to reserve to the States the control over those who composed their militia, by retaining to the States the appointment of the officers to command them, even while "employed in the service of the Confederate States." I might add many other quotations containing strong proofs of this position, from the debates of the Federal Convention, and the action of the State Conventions which adopted the Constitution; but I deem it unnecessary, as you made no allusion to the contemporaneous construction in your reply, and I presume you do not insist that the explanations of its meaning given by those who made it sustain your conclusion.

I feel that I am fully justified by the debates and the action of the Federal and State Conventions, in saying that it was the intention of the thirteen sovereigns, to constitute a common agent with certain specific and limited powers, to be exercised for the good of all the principals, but that it was not the intention to give the agent the power to *destroy the principals*. The agent was expected to be rather the servant of several mas-

ters, than the master of several servants. I apprehend it was never imagined that the time would come when the agent of the sovereigns would claim the power to take from each sovereign every man belonging to each, able to bear arms, and leave them with no power to execute their own laws, suppress insurrections in their midst, or repel invasions.

In reference to the practice of the United States Government under the Constitution, I need only remark, that I do not presume it will be contended that Congress claimed or exercised the right to compel persons constituting the militia of the States, by *conscription or compulsion*, to enter the service of the General Government, without the consent of their State Government, at any time while the Government was administered, or its councils controlled, by any of the fathers of the Republic who aided in the formation of the Constitution.

If, then, the constitutionality of the Conscription Act cannot be established by the contemporaneous construction of the Constitution, nor by the earlier practice of the Government while administered by those who made the Constitution, the remaining inquiry is, can it be established by the language of the instrument itself, taking the whole context, and applying to it the usual rules of construction, which were generally received and admitted to be authoritative at the time it was made.

The Constitution, in express language, gives Congress the power to "raise and support armies." You rest the case here, and say you know of but two modes of "raising armies," to wit: "by voluntary enlistment, and by draft or conscription," and you conclude that the Constitution authorizes Congress to raise them by either or both these modes.

To enable us to arrive at an intelligent conclusion as to the meaning intended to be conveyed by those who used this language, it is necessary to inquire what signification was attached to the terms used, at the time they were used; and it is fair to infer that those who used them intended to convey to the minds of others the idea which was at that time usually conveyed by the language adopted by them. Apply this rule, and what did the Convention mean by the term "to raise armies?" I prefer that the Attorney General should answer. He says in his written opinion:

"Inasmuch as the words 'militia,' 'armies,' 'regular troops,' and 'volunteers,' had acquired a definite meaning in Great Britain before the Revolutionary war, and as we have derived most of our ideas on this subject from that source, we may safely conclude that the term 'militia,' in our Constitution, was used in the sense attached to it in that country."

Upon this statement of the Attorney General rests his definition of the term "militia," which is an English definition; and upon that definition rests all that part of your argument, which draws a distinction, however unsubstantial, between *calling forth* the militia by authority of Congress, and calling forth all men in the State who compose the militia by the same authority. In the one case, you term it *calling forth the militia*, and admit that the State has the right to appoint the officers: in the other case, while every man called forth may be the same, you term it *raising an army*, and deny to the State the appointment of the officers. As this is necessary to sustain the constitutionality of the Conscription Act, you cannot disapprove the statement of the Attorney General above quoted. If, then, the Attorney General is right, that the terms "militia," "armies," "regular troops," and "volunteers" had acquired a definite meaning in Great Britain before the Revolutionary war, and we have derived most of our ideas on this subject from that source, and if we may safely conclude that the term "militia" in our Constitution was used in the sense attached to it in that country, is it not equally safe to con-

clude that the terms "armies," and to "raise armies," having acquired a definite meaning in Great Britain before the Revolutionary war, were used in our Constitution in the same sense attached to them in that country?

At that period, the Government of Great Britain had no Conscription Act, and did not "raise armies" by conscription, therefore the Convention which made our Constitution, "having derived most of their ideas on this subject from that source," it is "safe to conclude" that they used the term to "raise armies in the sense attached to it in that country." It necessarily follows, the Attorney General being the judge, that your conclusion is erroneous, and that Congress has no power to "raise armies," not even her "regular armies," *by conscription.*

But, as those who framed the Constitution foresaw that Congress might not be able by voluntary enlistment, to raise regular or standing armies sufficiently large to meet all emergencies, or that the people might refuse to vote supplies to maintain in the field armies so large and dangerous, they wisely provided, in connection with this grant of power, another relating to the same subject-matter, and gave Congress the additional power to call forth the militia to execute the laws of the Confederate States, suppress insurrections, and repel invasions.

In this connection, I am reminded by your letter, that Congress has power "to declare war," which you say embraces the right to declare offensive as well as defensive war; and you argue, as I understand, that the militia can only be called forth to repel invasions, and not to invade a foreign power, and that Congress would be powerless to redress our wrongs, or vindicate our honor, if it could not "raise armies" by conscription, to invade foreign powers. If this were even so, it might be an objection to the Constitutional Government, for want of sufficient strength, which is an objection often made by those who favor more absolute power in the General Government, and who attempt, by a latitudinarian construction of the Constitution, to supply powers which were never intended to be given to it. But does the practical difficulty which you suggest, in fact exist? I maintain that it does not. And I may here remark, that those who established the Government of our fathers, did not look to it, as a great military power whose people were to live by plundering other nations in foreign aggressive war, but a peaceful Government, advised by the Father of his Country, to avoid "entangling alliances" with foreign powers.

But you suppose, after our independence is established, that our present enemy may be tempted to abuse his naval power, by depredation on our commerce, and that we may be compelled to assert our rights by offensive war, and you ask, "How is it to be carried on?" "Of what is the army to be composed?" The answer is a very simple one. If the aggression is such as to justify us in the declaration of offensive war, our people will have the intelligence to know it, and the patriotism and valor to prompt them to respond by voluntary enlistment, and to offer themselves under officers of their own choice, through their State authorities, to the Confederacy, just as they did in the offensive war against Mexico, when many more were offered than were needed, without conscription or coercion; and just as they have done in our present defensive war, when almost every State has responded to every call, by sending larger numbers than were called for, and larger than the Government can arm and make effective. There is no danger that the honor of the intelligent freeborn citizens of this Confederacy will ever suffer because the Government has not the power to *compel* them to vindicate it. They will hold the Government responsible if it refuses to *permit* them to do it. To doubt

this, would seem to be, to doubt the intelligence and patriotism of the people, and their competency for self-government.

It would be very dangerous, indeed, to give the General Government the power to engage in an offensive foreign war the justice of which was condemned by the Governments of the States, and the intelligence of the people, and to compel them to prosecute it for two years, the terms for which appropriations can be made and continued by the Congress declaring it. Hence the wisdom of our ancestors in limiting the power of Congress over the militia, or great body of our people, so as to prohibit the prosecution, by *conscription or coercion*, of an offensive foreign war, which may be condemned by an intelligent public opinion.

France has a conscription act, which Great Britain has not. Both are warlike powers, often engaged in foreign offensive wars. What advantage has the conscription law given to France over Great Britain? Has not the latter been as able as the former to "raise armies" sufficient to vindicate her honor and maintain her rights? When France had no conscription law at one period of her history, she was a Republic. Soon after she had a conscription law, she became an Empire, and her ruler an Emperor, leaving her people without the constitutional safeguard which protects the people of Great Britain.

But you ask, "Shall we never be plaintiff in this 'terrible litigation of nations?'" If the litigation commends itself to the intelligence of the people as just, they will not hesitate to put themselves at the command of the Government to assume the plaintiff's position. The eagerness with which the people of the Confederacy now desire that we assume the plaintiff's position, and become the attacking and invading party, instead of acting constantly upon the defensive, is evidence to sustain my conclusion on this point.

That those who framed the Constitution looked to a state of war as tending to concentrate the power in the Executive, and as unfavorable to constitutional liberty, and did not intend to encourage it, unless in cases of absolute necessity, and did not, therefore, form the Government with a view to its becoming a power often engaged in offensive war, may be inferred from the language of Mr. Madison. He says:

"War, is, in fact, the true nurse of Executive aggrandizement. In war a physical force is to be created, and it is the Executive will which is to direct it. In war the public treasures are to be unlocked, and it is the Executive hand which is to dispense them. In war, the honors and emoluments of office are to be multiplied, and it is the Executive patronage under which they are to be enjoyed. It is in war, finally, that laurels are to be gathered, and it is the Executive brow they are to encircle. The strongest passions and most dangerous weaknesses of the human breast—ambition, avarice, vanity, the honorable or venial love of fame, are all in conspiracy against the desire and duty of peace." See Federalist, page 452.

In connection with this remark of Mr. Madison, it may not be amiss to add one from Mr. Calhoun. That great and good man who may justly be styled the champion of *State Rights and Constitutional Liberty*, in the first volume of his works, page 361, while speaking of the war which was forced upon Mr. Madison while President, by Great Britain, says:

"It did more; for the war, however just and necessary, gave a strong impulse adverse to the Federal and favorable to the national line of policy. This is, indeed, one of the unavoidable consequences of war, and can be counteracted only by bringing into full action the *negatives* necessary to the protection of the *reserved powers*. These would, of themselves, have the effect of preventing wars, so long as they could be honorably and

safely avoided; and when necessary, of arresting, to a great extent, *the tendency of the Government to transcend the limits of the Constitution during its prosecution*, and of correcting all departures after its termination. It was by force of the tribunitial power that the plebeians retained for so long a period their liberty in the midst of so many wars."

I beg to call special attention to the portions of the above quotation which I have *italicized*.

Having rested the constitutionality of the Conscription Act upon the power given to Congress to "raise armies," you enunciate a doctrine which I must be pardoned for saying, struck me with surprise; not that the doctrine was new, for it was first proclaimed, I believe, almost as strongly, by Mr. Hamilton in the *Federalist*, but because it found an advocate in you, whom I had for many years regarded as one of the ablest and boldest defenders of the doctrines of the State Rights school, in the old government. Your language is:

"I hold that when a specific power is granted by the Constitution, like that now in question, to 'raise armies,' Congress is the judge whether the law passed for the purpose of executing that power, is necessary and proper."

Again you say:

"The true and only test is, to inquire whether the law is intended and calculated to carry out the object, whether it devises and creates an instrumentality for executing the specific power granted, and if the answer be in the affirmative the law is constitutional."

From this you argue that the Conscription Act is calculated and intended to "raise armies," and, therefore, constitutional.

I am not aware that the proposition was ever stated more broadly in favor of unrestrained Congressional power, by Webster, Story, or any other statesman or jurist of the Federal school.

This is certainly not the doctrine of the republican party of 1798, as set forth in the Virginia and Kentucky Resolutions. The Virginia Resolutions use the following language, that, "It (the General Assembly of Virginia) views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that in the case of a *deliberate, palpable* and *dangerous exercise of other powers* not granted by said compact, *the States* who are parties thereto, *have the right* and are in *duty bound to interpose for arresting the progress of the evil*, and for *maintaining* within their respective limits the *authorities, rights* and *liberties appertaining to them*. That the General Assembly doth also express its deep regret, that a spirit has in sundry instances been manifested by the Federal Government, *to enlarge its powers by a forced construction of the Constitutional charter which defines them;* and that indications have appeared of a design to expound *certain general phrases*—(which having been copied from the very limited grant of powers in the former articles of Confederation were the less liable to be misconstrued)—so as to destroy the meaning and effect of the particular enumeration, which *necessarily explains and limits the general phrases, so as to consolidate the States by degrees into one sovereignty*, the obvious tendency and inevitable result of which would be to transform the present Republican system of the United States, *into an absolute or at least a mixed monarchy*."

The following quotations are from the Kentucky Resolutions drawn up by Mr. Jefferson himself (the italics, as in the last quotation, are my own). "That the several States composing the United States of America are not united on the principle of

unlimited submission to the General Government; but that, by a compact under the style and title of a Constitution of the United States, and of amendments thereto, they constituted a General Government for special purposes—delegated to that Government certain definite powers; *reserving, each State to itself, the residuary mass of right to their own self-Government;* that whensoever the General Government *assumes undelegated powers its acts are unauthoritative, void and of no force:* that to this compact each State acceded as a State, and is an integral party—its co-States forming as to itself the other party; *that the Government created by this compact was not made the exclusive or final* JUDGE *of the extent of the powers delegated to it—since that would have made* ITS DISCRETION and not the Constitution the *measure of its powers;* but that as in all other cases of compact among parties having *no common* JUDGE, each has an equal right to JUDGE *for itself as well of infractions as of the mode and measure of redress.*"

And again:

"*That the construction applied by the General Government* (as evinced by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress a power to lay and collect taxes, duties, imposts and excises; to pay the debts and *provide for the common defense* and general welfare of the United States; and to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in the Government of the United States, or any department thereof, *goes to the destruction of all the limits prescribed to their power by the Constitution.* That words meant by that instrument to be *subsidiary only to the execution of the limited powers ought not to be so construed, as themselves to give unlimited powers, nor a part so to be taken as to destroy the whole residue of the instrument.*"

But let us examine your doctrine a little further and see whether it can be reconciled to the construction lately put upon the Constitution by the States composing the Confederacy, over which you preside, and the action lately taken by them.

The Constitution of the United States gives Congress the power to provide for calling forth the militia to "suppress insurrection." Carry out your doctrine, and Congress must of course be *the Judge* of what constitutes an insurrection, as well as of the means "*necessary and proper*" to be used in executing the specific power given to Congress to suppress it. Georgia, claiming that the Congress of the United States had abused the specific powers granted to it, and passed laws which were not "*necessary and proper*" in executing these specific powers, which were injurious to her people, and claiming to be herself the *Judge*, seceded from the Union. Congress denied her power or right to do so, and acting upon the doctrine laid down by you, Congress claiming to be *the Judge*, proceeded to adjudicate the case, and determined that the action of Georgia amounted to an insurrection, and passed laws for its suppression. Among others, they have passed a law, if we may credit the newspapers, which authorizes the President to arm our negroes against us. Congress will, no doubt, justify this act, under the specific power given to it by the Constitution, to "raise armies," as the armies, as well as the militia may be used to suppress insurrection, and to execute the laws. Apply the test laid down by you, and inquire, is this law "calculated and intended" to carry out the object (the suppression of the insurrection, and the execution of the laws of the United States in Georgia)? and does it "devise and create an instrumentality for executing the specific power granted?" Congress, *the Judge*, answers the question in the affirmative. Therefore the law is constitutional.

Again, suppose you are right, and Congress has the constitutional power to "raise armies" by Conscription, and without the consent of the States, to compel every man in

the Confederacy, between 18 and 35 years old, able to bear arms, to enter these armies, you must admit that Congress has the same power to extend the law, and compel every man between 16 and 60 to enter. And, you must admit that the grant of power is as broad in times of peace as in times of war, as there is in the grant no language to limit it to times of war. It follows that Congress has the absolute control of every man in the State, whenever it chooses to execute to the full extent the power given it by the Constitution to "raise armies." How easy a matter it would have been, therefore, had the Congress of the United States understood the full extent of its powers to have prevented in a manner perfectly constitutional, the secession of Georgia and Mississippi from the Union. It was only necessary to pass a *Conscription Law* declaring every man in both States, able to bear arms, to be in the military service of the United States, and that each should be treated as a deserter if he refused to serve; and that Congress, *the Judge*, then decide that this law was "necessary and proper," and that it created an instrumentality for the execution of one of the specific powers granted to Congress to provide for the execution of the laws of the Union in the two States, or to provide for "raising armies." This would have left the States without a single man at their command, without the power to organize or use military force, and without free men to constitute even a Convention to pass an ordinance of secession.

If it is said, the people of the States would have refused to obey this law of Congress, and would have gone out in defiance of it; it may be replied that this would have been revolution and not peaceful secession, the right for which we have all contended—though our enemies have not permitted us to part with them in peace—the right for which we are now fighting.

Your doctrine carried out not only makes Congress supreme over the States, at any time when it chooses to exercise the full measure of its power to "raise armies," but it places the very existence of the State Governments subject to the will of Congress. The Conscription Act makes no exception in favor of the officers necessary to the existence of the State Government, but in substance declares that they shall all enter the service of the Confederacy, at the call of the President, under officers which are in future to be appointed by the President.

As already remarked, Congress has as much power to extend the act to embrace all between 16 and 60, as it had to take all between 18 and 35. If the act is constitutional, it follows that Congress has the power to compel the Governor of every State in the Confederacy, every member of every Legislature of every State, every Judge of every Court in every State, every officer of the Militia in every State, and all other State officers to enter the military service as privates in the armies of the Confederacy, under officers appointed by the President, at any time when it so decides. In other words, Congress may disband the State Governments any day when it, as *the judge*, decides that by so doing it "creates an instrumentality for executing the specific power" "to raise armies."

If Congress has the right to discriminate, and take only those between 18 and 35, it has the right to make any other discrimination it may judge "necessary and proper" in the "execution of the power," and it may pass a law in time of peace or war, if it should conclude the State Governments are an evil, that all State officers, Executive, Legislative, Judicial and Military, shall enter the armies of the Confederacy as privates under officers appointed by the President, and that the army shall from time to time be recruited from other State officers as they may be appointed by the States.

To state the case in different form, Congress has the power under the 12th paragraph

of the 8th section of the 1st Article of the Constitution to disband the State Governments, and leave the people of the States with no other Government than such military despotism, as Congress in the exercise of the specific power to "raise armies" (which I understand you to hold is a distinct power to be construed separately) may, after an application of your test, *judge* to be best for the people.

For, as all the State officers which I mention might make effective privates in the armies of the Confederacy, and as the law passed to compel them to enter the service might "create an instrumentality for executing the specific power to "raise armies," Congress, *the judge*, need only so decide and the act would be constitutional.

I may be reminded, however, that Congress passed an *Exemption* Act after the passage of the Conscription Act, which exempts the Governors of the States, the members of the State Legislatures, the Judges of the State Courts, etc., from the obligation to enter the military service of the Confederacy as privates under Confederate officers. It must be borne in mind, however, that this very act of exemption by Congress is an assertion of the right vested in Congress to compel them to go, when Congress shall so direct, as Congress has the same power to repeal which it had to pass the Exemption Act. All the State officers, therefore, are exempt from Conscription by the *grace and special favor of Congress* and not by *right*, as the Governments of the independent States whose agent, and not master, Congress has been erroneously supposed to be. If this doctrine be correct, of what value are *State rights* and *State sovereignty?*

In my former letter I insisted, under the general rule, that the 12th, 15th and 16th paragraphs of the section under consideration, all relating to the same *subject matter*, should be construed together. While your language on this point is not so clear as in other parts of your letter, I understand you to take issue with me here. You say:

"Nothing can so mislead as to construe together and as one whole, the carefully separated clauses, which define the different powers to be exercised over distinct subjects by Congress."

These are not carefully separated clauses which relate to different powers, to be exercised over *distinct subjects*. They all relate to the *same subject matter*, the authority given to Congress over the question of war and peace. They all relate to the use of armed force by authority of Congress. If, therefore, Coke, Blackstone and Mansfield of England, and Marshall, Kent and Story of this country, with all other intelligent writers on the rules of construction, are to be respected as authority, there can, it would seem, be no doubt of the correctness of the position that these three paragraphs, together with all others in the Constitution which relate to the same subject matter, are to be construed together "as one whole."

Construe them together, and the general language in one paragraph, is so qualified by another paragraph, upon the *same subject matter*, that all can stand together, and the whole when taken together, establishes to my mind the unsoundness of your argument and the fallacy of your conclusion.

But I must not omit to notice your definition of the term "militia," and the deductions which you draw from it.

You adopt the definition of the Attorney General, that "the militia are a body of soldiers in a State enrolled for discipline." Admit, for the purposes of the argument, the correctness of the definition. All persons, therefore, who are enrolled for discipline under the laws of Georgia constitute her militia. When the persons thus enrolled (the militia) are employed in the service of the Confederate States, the Constitution expressly reserves to Georgia the appointment of the officers. The Conscription Act gives the

President the power by compulsion to employ every one of those persons, between 18 and 35, in the service of the Confederate States; and denies to the State the appointment of a single officer to command them, while thus "employed." Suppose Congress at its next session should extend the act so as to embrace all between 18 and 45, what is the result? "The body of soldiers in the State enrolled for discipline" are every man "employed in the service of the Confederacy," and the right is denied to the State to appoint a single officer, when the Constitution says she shall appoint them all. Is it fair to conclude, when the State expressly and carefully reserved the control of their own militia, by reserving the appointment of the officers to command them, that they intended under the general grant of power to "raise armies," to authorize Congress to defeat the reservation and control the militia, with their officers, by calling the very same men into the field, *individually* and not *collectively*, organizing them according to its own will, and terming its action "raising an army" and *not calling forth the militia?* Surely the great men of the revolution when they denied to the General Government the appointment even of the *General Officers*, to command the militia when employed in the service of the Confederacy, did not imagine that the time would come so soon when that Government, under the power to "raise armies," would claim and exercise the authority to call into the field the whole militia of the States, individually, and deny to the States the appointment of the lowest lieutenant, and justify the act on the ground that Congress did not choose to call them into service in their collective capacity, and deny that they were militia if called into service in any other way.

If Congress has the power to call forth the whole enrolled force or militia of the States in the manner provided by the Conscription Act, there is certainly no *obligation* upon Congress ever to *call them forth* in any other manner, and it rests in the *discretion* of Congress whether or not the State shall ever be permitted to exercise their reserved right; as Congress has the power in every case to defeat the exercise of the right by calling forth the militia under a conscription act, and not by requisitions made upon the States. It cannot be just to charge the States with the folly of making this important reservation, subject to any such power in Congress to render it nugatory at its pleasure.

Again, you say "Congress may call forth the militia to execute *Confederate* laws; the *State* has not surrendered the power to call them forth to execute *State* laws."

"*Congress* may call them forth to repel invasion; so may the *State*, for it has expressly reserved this right."

"*Congress* may call them forth to suppress insurrection and so may the *State*."

If the conscription law is to control, and Congress may, without the consent of the State Government, order every man composing the militia of the State, out of the State, into the Confederate service, how is the State to call forth her own militia, as you admit she has reserved the right to do, to execute her own laws, suppress an insurrection in her midst, or repel an invasion of her own territory?

Could it have been the intention of the States to delegate to Congress the power to take from them without their consent the means of self-preservation, by depriving them of all the strength upon which their very existence depends?

After laying down the position that the citizens of a State are not her militia, and affirming that the militia are "a body organized by law," you deny that the militia constitute any part of the *land or naval forces*, and say they are distinguished from the *land and naval forces*, and you further say they have always been *called forth* as "bodies organized by the States," with their officers; that they "do not become part of the

armies raised by Congress," but remain militia, and that when they had been called forth, and the exigencies which provoked the call had passed, "they went home again." The militia when *called forth* are taken from the body of the people, to meet an emergency, or to repel invasion. If they go in as "bodies organized by the States," you hold that they go in *militia*, remain *militia*, and when the exigency is passed they go home *militia*, but if you *call forth* the same men by the Conscription Act for the same purpose, and they remain for the same length of time, and do the same service, they are not *militia* but the *armies* of the Confederacy, part of the *land or naval force*. In connection with this part of the subject you use the following language:

"At the present moment when our very existence is threatened by armies vastly superior in numbers to ours, the necessity for defense has induced a call, not for the whole militia of all the States, not for *any* militia, but for *men* to compose *armies* for the Confederate States."

In the midst of such pressing danger, why was it that there was no necessity for *any* militia; in other words, no necessity for any "bodies of men organized by the States," as were many of the most gallant regiments now in the Confederate service, who have won on the battle-field a name in history, and laurels that can never fade?

Were no more such bodies "organized by the States" needed, because the material remaining within the States of which they must be composed was not reliable? The Conscription Act gives you the very same material. Was it because the officers appointed by the States to command the gallant State regiments and other "organized bodies" sent by the States were less brave or less skillful than the officers appointed by the President to command similar "organized bodies?" The officers appointed by the States who now command regiments in the service, will not fear to have impartial history answer this question. Was it because you wished select men for the *armies* of the Confederacy? The Conscription Act embraces *all*, without distinction, between 18 and and 35 able to do military duty and not legally exempt. You do not take the militia. What do you take? You take every man between certain ages, of whom the militia is composed. What is the difference between taking the militia and taking all the men who compose the militia? Simply this: In the one case you take them *with their officers appointed by the States*, as the Constitution requires, and call them by their proper name, "militia," "employed in the service of the Confederate States." In the other case you take them all as individuals—get rid of the State officers—appoint officers of your own choice, and call them the "armies of the Confederacy." And yet these armies, like you say the militia do, will "go home" when the exigency has passed, as it is hoped they are not expected to be permanent like the *regular armies* of the Confederacy; or in other words, like the *land and naval forces* provided for in the Constitution, from which you distinguish the militia. Indeed, the similarity between these "armies of the Confederacy," *called forth* in an emergency, to repel an invasion, to be disbanded when the emergency is passed; and the militia or bodies of troops organized and officered by the States, *called forth* for the same purpose, to be composed of the same material and disbanded at the same time, is most remarkable in everything, except the name and the appointment of the officers.

Excuse me for calling your attention to another point in this connection.

As you admit the militia have always been *called forth* as "bodies organized by the States," and when thus called forth that the States have always appointed the officers, I presume you will not deny that when the President, by authority of Congress has made a call upon a State for "organized bodies of soldiers," and they have been furnished

by the State from the body of her people, they have entered the service as part of the militia of the State "employed in the service of the Confederate States" under the 15th and 16th paragraphs of the 8th Section of the 1st Article of the Constitution.

Your message to Congress recommending its passage shows that there was no necessity for the act, to enable you to get troops, as you admit that the Executives of the State had enabled you to keep in the field *adequate forces*, and also that the spirit of resistance among the people was such that it needed to be regulated and not stimulated. You say:

"I am happy to assure you of the entire harmony of purpose and cordiality of feeling which have continued to exist between myself and the Executives of the several States, and it is to this cause that our success in keeping adequate forces in the field is to be attributed." Again you say:

"The vast preparations made by the enemy for combined assault at numerous points on our frontier and sea coast, have produced the result that might have been expected. They have animated the people with a spirit of resistance so general, so resolute and so self-sacrificing, that it requires rather to be regulated than to be stimulated"

If then the Executives of the States by their cordial co-operation had enabled you to keep in the field "adequate forces," and the spirit of resistance was as high as you state, there was no need of a Conscription Act to enable you to "raise armies."

Since the invasion of the Confederacy by our present enemy, you have made frequent calls upon me as Governor of this State for "organized bodies" of troops. I have responded to every call and sent them as required, "organized" according to the laws of the State, and commanded by officers appointed by the State, and in most instances, fully armed, accoutred and equipped. These bodies were *called forth* to meet an emergency, and assist in repelling an invasion. The emergency is not yet passed, the invasion is not yet repelled, and they have not yet returned home. If your position be correct they constitute no part of the *land or naval forces* as they were not *organized* nor their officers appointed by the President, as is the case with the *armies* of the Confederacy, but they were *called forth* as bodies "organized and their officers appointed by the States." Hence they are part of the militia of Georgia employed in the service of the Confederate States as provided by the two paragraphs of the Constitution above quoted, and by paragraph 16 of Section 9 of the 1st Article which terms them "militia in actual service in time of war or public danger." They entered the service with only the training common to the citizens of the State. They are now well trained troops. But having gone in as "bodies organized by the State," or as *militia*, you say they remain militia, and go home militia. In this case we seem to agree that the State, under the express reservation in the Constitution, has the right to appoint the officers. I have the written opinion of Mr. Benjamin, then Secretary of War, about the time of the last call for twelve regiments, concurring in this view, and recognizing this right of the State. And it is proper that I should remark that the State has, in each case, been permitted to exercise this right, when the troops entered the service in compliance with a requisition upon the State for "organized bodies of troops." The right does not stop here, however. The Constitution does not say the State shall appoint the officers while the organizations may be forming to enter the service of the Confederacy, but while they "may be *employed* in the service of the Confederate States." Many thousands are now *so employed*. Vacancies in the different offices are frequently occurring by death, resignation, etc. The laws of this State provide how these vacancies are to be filled and it is *not* to be done by promotion of the officer next in rank, except in a single

instance, but by election of the regiment, and commission by the Governor. The right of the State to appoint these officers seems to be admitted, and is, indeed, too clear to be questioned.

The Conscription Act, if it is to be construed according to its language, and the practice which your Generals are establishing under it, denies to the State the exercise of this right, and prescribes a rule for selecting all officers in future, unknown to the laws of Georgia, and confers upon the President the power to commission them. Can this usurpation (I think no milder term expresses it faithfully) be justified under the clause in the Constitution which gives Congress power to "raise armies?" and is this part of the Act constitutional? If not, you have failed to establish the constitutionality of the Conscription Act.

The 14th paragraph of the 9th Section of the 1st Article of the Constitution of the Confederate States declares that—

"A *well regulated militia* being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." This was no part of the original Constitution as reported by the Convention and adopted by the States. But "The Convention of a number of the States having at the time of their adopting the Constitution expressed a desire in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, Congress at the session begun and held at the city of New York, on Wednesday the 4th of March, 1789, proposed to the Legislatures of the several States twelve amendments, ten of which only were adopted."

The second amendment was the one above quoted, which shows very clearly that the States were jealous of the control which Congress might claim over their militia, and required on this point a further "restrictive clause" than was contained in the original Constitution.

The 16th paragraph of the preceding Section expressly reserves to the States "the authority of *training* the militia according to the discipline prescribed by Congress." In connection with this, you admit that the States reserved the right to call forth their own militia to execute their own laws, suppress insurrections or repel invasions. This authority to *call them forth* would have been of no value without the authority to *appoint officers to command them;* and the further authority to *train* them; as they cannot without *officers* and *training* be the *well regulated militia* which the Constitution says is "necessary to the security of a free State."

The conclusion would seem naturally to follow, that the States did not intend by any general words used in the grant of power, to give Congress the right to take from them, as often as appointed, the officers selected by them to *train* and *regulate* their militia and prepare them for efficiency, when they may be called forth to support the very existence of the State.

The Conscription Act embraces so large a proportion of the militia officers of this State, as to disband the militia in the event they should be compelled to leave their commands. This would leave me without the power to reorganize them, as a vacancy can only be created in one of these offices by resignation of the incumbent, or by the voluntary performance of some act which amounts to an abandonment of his command, or by a sentence of a Court Martial dismissing him from office. The officer who is dragged from his command by Conscription, or compulsion, and placed in the ranks, is in neither category; and his office is no more vacated than the office of a judge would be, if he were ordered into military service without his consent. And unless there be a

vacancy I have no right to fill the place, either by ordering an election, or by a brevet appointment. I have no right in either case to commission a successor so long as there is a legal incumbent.

Viewing the Conscription Act in this particular as not only unconstitutional, but as striking a blow at the very existence of the State, by disbanding the portion of her militia left within her limits, when much the larger part of her "arms-bearing people" are absent in other States in the military service of the Confederacy, leaving their families and other helpless women and children, subject to massacre by negro insurrection for want of an organized force to suppress it, I felt it an imperative duty which I owed the people of this State, to inform you in a former letter that I could not permit the disorganization to take place, nor the State officers to be compelled to leave their respective commands and enter the Confederate service as Conscripts.—Were it not a fact well known to the country that you now have in service tens of thousands of men without arms and with no immediate prospect of getting arms, who must remain for months consumers of our scanty supplies of provisions, without ability to render service, while their labor would be most valuable in their farms and workshops, there might be the semblance of a plea of necessity for forcing the *State officers* to leave their commands, with the homes of their people unprotected, and go into camps of instruction, under Confederate officers, often much more ignorant than themselves of military science or training. I must, therefore, adhere to my position and maintain the integrity of the State Government in its Executive, Legislative, Judicial and Military Departments, as long as I can command sufficient force to prevent it from being disbanded, and its people reduced to a state of provincial dependence upon the Central power.

If I have used strong language in any part of this letter, I beg you to attribute it only to my zeal in the advocacy of principles and a cause which I consider no less than the cause of constitutional liberty, imperiled by the erroneous views and practice of those placed upon the watch-tower as its constant guardians.

In conclusion, I beg to assure you that I fully appreciate your expressions of personal kindness, and reciprocate them in my feelings towards you to the fullest extent.

I know the vast responsibilities resting upon you, and would never willingly add unnecessarily to their weight, or in any way embarrass you in the discharge of your important duties.—While I cannot agree with you in opinion upon the grave question under discussion, I beg you to command me at all times when I can do you a personal service, or when I can, without a violation of the constitutional obligations resting upon me, do any service to the great cause in which we are all so vitally interested.

Hoping that a kind Providence may give you wisdom so to conduct the affairs of our young Confederacy as may result in the early achievement of our Independence, and redound to the ultimate prosperity and happiness of our whole people.

I have the honor to be, very respectfully,

Your obedient servant,

JOSEPH E. BROWN.

P. S.—Since the above letter was written I see, somewhat to my surprise, that you have thought proper to publish *part* of our unfinished correspondence.

In reply to my first letter you simply stated on the point in question that the constitutionality of the Act was derivable from that paragraph in the *Constitution* which gives Congress the power to raise and support armies. I replied to that letter with no portion of your argument but the simple statement of your position before me. You then, with the aid of your Cabinet, replied to my second letter, giving the argument by which you

attempt to sustain your position, and without allowing time for your letter to reach me, and a reply to be sent, you publish my second letter and your reply, which is your first argument of the question. I find these two letters not only in the newspapers but also in pamphlet form, I presume by your order for general circulation.

While I cannot suppose that your sense of duty and propriety would permit you to publish part of an unfinished correspondence for the purpose of forestalling public opinion, I must conclude that your course is not the usual one in such cases. As the correspondence was an official one upon a grave constitutional question, I had supposed it would be given to the country through Congress and the Legislature of the State.

But as you have commenced the publication in this hasty and as I think informal manner, you will admit that I have no other alternative but to continue it. I must, therefore, request as an act of justice that all newspapers which have published part of the correspondence, insert this reply. J. E. B.

APPENDIX C.

Original Communication of Mrs. Mary Williams, to the Columbus (Ga.) Times, Suggesting the Decoration Day Custom.

Columbus, Ga., March 12, 1866.

Messrs. Editors:—The ladies are now and have been for several days engaged in the sad but pleasant duty of ornamenting and improving that portion of the city cemetery sacred to the memory of our gallant Confederate dead, but we feel it is an unfinished work unless a day be set apart annually for its especial attention. We cannot raise monumental shafts and inscribe thereon their many deeds of heroism, but we can keep alive the memory of the debt we owe them, by dedicating at least one day in each year to embellishing their humble graves with flowers. Therefore we beg the assistance of the press and the ladies throughout the South to aid us in the effort to set apart a certain day to be observed, from the Potomac to the Rio Grande, and be handed down through time as a religious custom of the South, to wreath the graves of our martyred dead with flowers; and we propose the 26th day of April as the day. Let every city, town and village join in the pleasant duty. Let all alike be remembered, from the heroes of Manassas to those who expired amid the death throes of our hallowed cause. We'll crown alike the honored resting places of the immortal Jackson in Virginia, Johnston at Shiloh, Cleburne in Tennessee, and the host of gallant privates who adorned our ranks. All did their duty, and to all we owe our gratitude. Let the soldiers' graves, for that day at least, be the Southern Mecca to whose shrine her sorrowing women like pilgrims, may annually bring their grateful hearts and floral offerings. And when we remember the thousands who were buried "with their martial cloaks around them," without christian ceremony of interment, we would invoke the aid of the most thrilling eloquence throughout the land to inaugurate this custom, by delivering on the appointed day this year, a eulogy on the unburied dead of our glorious Southern army. They died for their country. Whether their country had or had not the right to demand the sacrifice is no longer a question for discussion. We leave that for nations to decide in the future. That it was demanded—that they fought nobly, and fell holy sacrifices upon their country's altar, and are entitled to their country's gratitude, none will deny.

The proud banner under which they rallied in defense of the holiest and noblest cause for which heroes fought, or trusting woman prayed, has been furled forever. The country for which they suffered and died, has now no name or place among the nations of the earth. Legislative enactments may not be made to do honor to their memories, but the veriest radical that ever traced his genealogy back to the deck of the May Flower, could not refuse us the simple privilege of paying honor to those who died defending the life, honor and happiness of the Southern women.

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